

# ***DRAFT***

## ***2005-06 CONSOLIDATED GRANTS PROGRAM GUIDELINES***

**THESE DRAFT GUIDELINES ARE  
UNDERGOING MANAGEMENT AND LEGAL REVIEW  
AND  
ARE ALSO AVAILABLE FOR PUBLIC COMMENT.**

**Comments must be received by 5:00 PM on Monday, December 5, 2005.**  
We prefer to receive comments via e-mail at: [DFA\\_Grants@waterboards.ca.gov](mailto:DFA_Grants@waterboards.ca.gov).

Comments may also be mailed to:  
State Water Resources Control Board  
Division of Financial Assistance  
Attn: Erin Ragazzi (CG)  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, CA 95814

Public Workshops for the draft Guidelines will be held as follows:

- November 30, 2005 (San Diego)
- December 1, 2005 (Sacramento)



***STATE WATER RESOURCES CONTROL BOARD***

***DRAFT NOVEMBER 3, 2005***

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***ACRONYMS USED IN THESE GUIDELINES AND APPENDICES***

AB	Assembly Bill
ASBS	Areas of Special Biological Significance
ASCP	Accelerated Selection Contract Procedure
AWQGP	Agricultural Water Quality Grant Program
Basin Plan	Regional Water Quality Control Plan
BF	Benefit Factor
BMP	Best Management Practice
Cal/EPA	California Environmental Protection Agency
California Water Boards	State Water Resources Control Board and Regional Water Quality Control Boards
CCC	California Coastal Commission
CCA	Critical Coastal Area
CEQA	California Environmental Quality Act
CP	Concept Proposal
CWA	Clean Water Act
CWC	California Water Code
CNPS	Coastal Nonpoint Source Pollution Control Program
DCR	Disadvantaged Community Ratio
DFG	Department of Fish and Game
DWR	Department of Water Resources
EPA	Environmental Protection Agency
FAAST	Financial Assistance Application Submittal Tool
GAMA	Groundwater Ambient Monitoring Assessment
GIS	Global Information System
GPS	Global Positioning System
HA	Hydrologic Area
HAS	Hydrologic Sub-Area
HU	Hydrologic Unit
IWMP	Integrated Watershed Management Program
LID	Low Impact Development
MHI	Median Household Income
MM	Management Measure
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NPSPC	Nonpoint Source Pollution Control
NPS	Nonpoint Source
OPC	Ocean Protection Council
OSDS	On-Site Subsurface Disposal System
PAEP	Project Assessment and Evaluation Plan
POTW	Publicly Owned Treatment Work
PRC	Public Resource Code
PSP	Proposal Solicitation Package
QAPP	Quality Assurance Project Plan
Regional Water Board	Regional Water Quality Control Board
RFP	Request for proposal
SB	Senate Bill
State Water Board	State Water Resources Control Board
SWAMP	Surface Water Ambient Monitoring Program
TMDL	Total Maximum Daily Load

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USEPA	United States Environmental Protection Agency
USWP	Urban Stormwater Program
WC	Water Code
WMA	Watershed Management Area
WMI	Watershed Management Initiative

***2005-06 CONSOLIDATED GRANTS PROGRAM GUIDELINES***

***I. PURPOSE***

The purpose of these Guidelines is to establish the process and criteria that the State Water Resources Control Board (State Water Board) will use to solicit applications, evaluate proposals, and award grants for the following programs in the 2005-06 Consolidated Grants Program.

**Table 1 - Grant Programs Administered Under the 2005-06 Consolidated Grants Program**

No.	Grant Program	Purpose	Available Funding
1.	Coastal Nonpoint Source Pollution Control Program (CNPS) <i>Proposition 50, Chapter 5</i>	Projects that restore and protect the water quality and the environment of coastal waters, estuaries, bays, near shore waters, and groundwater.	\$43.1 Million
2.	Nonpoint Source Pollution Control (NPSPC) Program <i>Proposition 40, Chapter 4</i>	Projects that protect the beneficial uses of water throughout the state through the control of NPS pollution.	\$19 Million
3.	Nonpoint Source (NPS) Implementation Program <i>Clean Water Act, Section 319(h)</i>	Projects that restore and protect the beneficial uses of water throughout the State through the control of NPS pollution consistent with completed Total Maximum Daily Loads (TMDLs) or those under development.	Approximately \$4.5 Million
4.	Urban Stormwater Program (USWP) <i>Proposition 40, Chapter 4</i>	Projects designed to implement stormwater pollution reduction and prevention programs.	\$14.25 Million
5.	Agricultural Water Quality Grant Program (AWQGP) <i>Proposition 40, Chapter 4 &amp; Proposition 50, Chapter 5</i>	Projects that will improve water quality through monitoring, demonstration projects, research, construction of agricultural drainage improvements, and projects that will reduce pollutants in agricultural drainage water through reuse, integrated management, or treatment.	\$15.2 Million
6.	Integrated Watershed Management Program (IWMP) <i>Proposition 40, Chapter 4</i>	Projects for development of integrated watershed management plans and for implementation of watershed protection and water management projects.	\$47.5 Million

**TOTAL \$143.55 Million**

These Guidelines supercede any Guidelines or requirements previously adopted for these programs, including the August 26, 2004 *Agricultural Water Quality Grant Program Guidelines*.

Additional funds may be available from Proposition 13, the *Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act* of 2000. The available Proposition 13 funding will be used to fund additional projects submitted for the above programs that meet the Proposition 13 eligibility requirements.

## ***II. OVERVIEW***

The State Water Board will administer six watershed and NPS grant programs concurrently through the 2005-06 Consolidated Grants Program. The six programs are funded using approximately \$143.55 million from Proposition 40, Proposition 50, and federal appropriations. A summary table of the six programs is presented in Appendix A. The web links to the specific bond language for Propositions 40 and 50 are provided in Appendix B.

Because bonds and legislation layout significantly different requirements for each program, it is not possible to combine requirements into one. “One-stop” shopping for these grants should provide efficiencies for grantees; however, the consolidation of these grants simplifies the grant application process, provides significant coordination with our partner agencies, and allows broader statewide funding needs to be addressed. Applicants also benefit from the consolidation of grant programs because one application may be submitted for several grant programs.

State Water Board staff have engaged stakeholders in the development of these Guidelines through several venues. Staff conducted the following initial scoping workshops and meetings to obtain stakeholder input:

- ❖ California Bay Delta Authority Watershed Subcommittee meeting on May 20, 2005.
- ❖ Inter-Tribal Council of California members meeting on July 18, 2005.
- ❖ California Bay Delta Authority Drinking Water Subcommittee meeting on July 22, 2005.
- ❖ Stakeholder scoping workshops in Sacramento, Oakland, and Riverside in July 2005.
- ❖ Public workshops to solicit comments on the draft Guidelines in November 2005.

In addition, significant input was received throughout the State Water Board website, which has been updated frequently to include draft program information and to provide staff-level documents for public review and feedback.

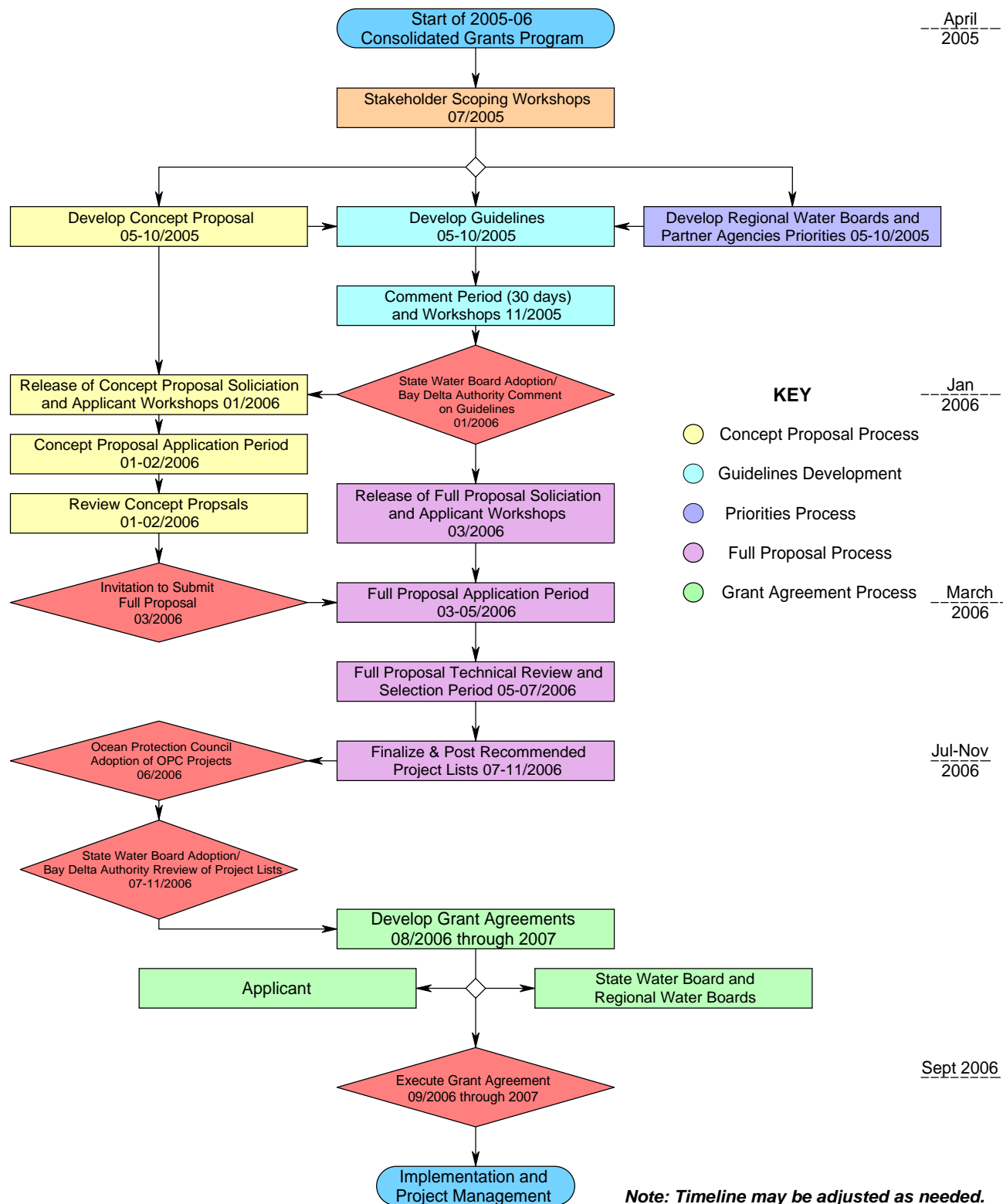
During the development of the Guidelines, staff from the State Water Board, Regional Water Quality Control Boards (Regional Water Boards), United States Environmental Protection Agency (USEPA), and other partner agencies developed a list of priorities. Partner agencies include the Resources Agency, Department of Water Resources, Department of Boating and Waterways, Department of Fish and Game, Department of Parks and Recreation, Coastal Commission, State Coastal Conservancy, Department of Forestry, Department of Conservation, and CALFED. The priorities were developed so that the 2005-06 Consolidated Grants Program can focus on funding projects that address the environmental needs of the state of California. In order to be eligible for funding, projects must address at least one of the State Water Board or Regional Water Board (California Water Boards) priorities. Integrated Watershed Management Program (IWMP) funded projects must meet multiple priorities. Eligibility requirements, detailed in these Guidelines, for applicants, funding amounts, timing, and project types must also be met.

The 2005-06 Consolidated Grants Program solicitation will be a two-step process. In the first step, applicants submit brief Concept Proposals (CPs). CPs will be submitted through the State Water Board’s on-line Financial Assistance Application Submittal Tool (FAAST). Applicants with the highest-ranking CPs will be invited to submit a Full Proposal for a specific program. Recommended funding lists will be developed and presented at State Water Board meetings for public comment and State Water Board adoption. An overview of the 2005-06 Consolidated Grants Program process and timeline is presented in the flowchart in Figure 1.

The eligibility requirements, application process, proposal contents, and review criteria are detailed in the following sections of the Guidelines: (I) Purpose; (II) Overview; (III) Eligibility Requirements; (IV) Priorities and Statewide Preferences; (V) Proposal Solicitation, Review, and Selection Process; and (VI) General Requirements.

**Figure 1**  
**State Water Board**  
**2005-06 Consolidated Grants Program Timeline**

**MILESTONES**





Funding for watershed management planning and implementation projects is available in the IWMP. There are different requirements and selection criteria for the planning and implementation projects. There is an accelerated selection and contracting procedure (ASCP) for the IWMP projects that are fully permitted, ready to be implemented, and meet specific criteria. IWMP specific information is presented in Appendix C.

### ***III. ELIGIBILITY REQUIREMENTS***

Complete applications will be evaluated for compliance with the eligibility requirements during the CP and Full Proposal phases. Eligibility is based on program funding limits, project timing, match requirements, grant recipients, and project type. Proposals that do not meet the eligibility requirements will not be reviewed or considered for funding.

#### **A. PROGRAM FUND LIMITS, TIMING, AND MATCH REQUIREMENTS**

The project timing, maximum and minimum grant amounts, and the minimum match requirements for all six programs are presented in Table 2.

**Table 2 – Project Timing, Maximum and Minimum Grant Amounts, and Match Requirements**

<b>Grant Program</b>	<b>Project Timing</b>	<b>Maximum Grant Amount</b>	<b>Minimum Grant Amount</b>	<b>Minimum Match Requirement<sup>1</sup></b>
Coastal Nonpoint Source Pollution Control Program (CNPS)	Encumber by June 30, 2008. Complete projects by March 2010. Disburse funds by June 30, 2010.	\$5,000,000	\$250,000	20% for Projects between \$1,000,000 to \$5,000,000 15% for Projects less than \$1,000,000 <sup>2</sup>
Nonpoint Source Pollution Control (NPSPC) Program	Encumber by December 31, 2006. Complete projects by September 2008. Disburse funds by December 31, 2008.	\$5,000,000	\$250,000	25%
NPS Implementation Program	Encumber by December 31, 2006. Complete projects by December 31, 2010. Disburse funds by February 1, 2011.	\$1,000,000	\$250,000	25%
Urban Stormwater Program (USWP)	Encumber by December 31, 2006. Complete projects by September 2008. Disburse funds by December 31, 2008.	\$1,000,000	\$250,000	25%
Agricultural Water Quality Grant Program (AWQGP)	<b>Prop 40:</b> Encumber by December 31, 2006. Complete projects by September 2008. Disburse funds by December 31, 2008. <b>Prop 50:</b> Encumber by June 30, 2007. Complete projects by March 2009. Disburse funds by June 30, 2009.	\$1,000,000	\$250,000	25%
Integrated Watershed Management Program (IWMP)	Encumber by December 31, 2006. Complete projects by September 2008. Disburse funds by December 31, 2008.	\$5,000,000 (\$500,000 for planning)	\$250,000	25%

<sup>1</sup> The match requirement may be waived or reduced for projects that directly benefit a disadvantaged community(ies) as outlined in Appendix D.

<sup>2</sup> The match requirements for the CNPS are established by law (CWC, Section 79148.8(f)).

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### Maximum Grant Amounts and Minimum Grant Amounts

The maximum grant amount for the CNPS is established by law. The minimum and maximum grant amounts for other programs are based on input from stakeholders, California Water Boards staff, and partner agency representatives.

### Funding Match

The applicant is required to provide a funding match. “Funding match” means funds made available by the grant recipient from non-state sources. The funding match may include, but is not limited to, federal funds, local funding, or donated services from non-state sources. A State agency may use State funds and services for the funding match. (California Water Code [CWC] § 79505.5 b-c.) Only eligible reimbursable expenses incurred after adoption of the Guidelines and prior to the term of the grant agreement can be applied to the funding match. The State Water Board reserves the discretion to review and approve matching fund expenditures.

The funding match requirement may be waived or reduced to the extent that an applicant demonstrates that the proposal will: (1) affect at least one disadvantaged community; (2) include representatives of the disadvantaged community(ies) in the planning and/or implementation process; and (3) be designed to provide direct benefits to the disadvantaged community(ies). Reductions in the required funding match percentage will be in proportion to the percentage of disadvantaged population directly benefiting from the project relative to the entire population in the area. Appendix D (Disadvantaged Community Funding Match Waiver or Reduction) provides more detail on the procedures for waiving or reducing the required funding match.

## **B. ELIGIBLE GRANT RECIPIENTS**

The eligible grant recipients for each program are defined in statute. The eligible recipients and associated code sections are provided in Table 3.

**Table 3 – Eligible Grant Recipients**

<b>Eligible Applicants<sup>1</sup></b>	<b>Coastal Nonpoint Source Pollution Control Program (WC 79148.8 (a))</b>	<b>Nonpoint Source Pollution Control Program (PRC 30935 (a))</b>	<b>NPS Implementation Program (CWA, Section 319(h))</b>	<b>Agricultural Water Quality Grant Program (PRC 30940(a) &amp; WC 79540.1(b))</b>	<b>Integrated Watershed Management Program (PRC 30947(a))</b>	<b>Urban Stormwater Program (PRC 30930)</b>
<b>Local Public Agencies</b>	X	X	X	X	X	X
<b>Public Agencies</b>	X		X	X	X	
<b>Educational Institutions</b>	X		X	X	X	
<b>501(c)(3) Non-Profit Organizations</b>	X	X	X	X	X	
<b>Indian Tribes<sup>2</sup></b>	X		X	X	X	
<b>State Agencies</b>	X		X*	X	X	
<b>Federal Agencies</b>	X*		X*	X*	X*	

\* Grant recipients will be eligible for funding if collaborating with local entities involved in watershed management or if proposing statewide projects.

<sup>1</sup> Definitions of the eligible applicants are presented in Appendix E.

<sup>2</sup>Federally recognized.

## **C. ELIGIBLE PROJECTS**

Eligible projects for each funding program are listed below. Eligible project requirements are established by law (i.e., CWC or Public Resource Code [PRC]), unless otherwise stated.

### **Proposition 50 Coastal Nonpoint Source Pollution Control Program**

At least \$10 million of the \$43.1 million will be designated for projects that meet the mutual priorities of the State Water Board and Ocean Protection Council (OPC), as designated in State Water Board Resolution 2005-0041. Up to five percent (5%) of the CNPS funds will be reserved to fund projects that provide a direct benefit to disadvantaged communities. To be eligible for this 5 percent, the applicant must be from a disadvantaged community and the entire project area must qualify as a disadvantaged community. Appendix D provides more detail on disadvantaged community eligibility requirements.

Eligible projects under the CNPS are projects that:

- ❖ Improve water quality at public beaches and make improvements to ensure that coastal waters adjacent to public beaches meet bacteriological standards as set forth in Article 2 (commencing with Section 115875) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code. Refer to Appendix B for web links to these statutes.
- ❖ Provide comprehensive capability for monitoring, collecting, and analyzing ambient water quality, including monitoring technology that can be entered into a statewide information base with standardized protocols and sampling, collection, storage, and retrieval procedures.
- ❖ Make improvements to existing sewer collection systems and septic systems for restoration and protection of coastal water quality.
- ❖ Implement storm water and runoff pollution reduction and prevention programs for restoration and protection of coastal water quality.
- ❖ Are consistent with State's NPS control program, as revised to meet the requirements of Section 6217 of the Federal Coastal Zone Act Reauthorization Amendments of 1990, Section 319 of the Federal Clean Water Act (33 U.S.C. Section 1329), and the requirements of Division 7 (commencing with Section 13000). Refer to Appendix B for web links to these statutes.

All CNPS projects must meet the following requirements:

- ❖ All projects must demonstrate capability of contributing to sustained, long-term water quality or environmental restoration or protection benefits for a period of 20 years, address the causes of degradation, rather than the symptoms, and be consistent with water quality and resource protection plans prepared, implemented, or adopted by the Board, the applicable Regional Water Board, and the California Coastal Commission.
- ❖ If applicable, projects funded must be consistent with recovery plans for coho salmon, steelhead trout, or other threatened or endangered species, and to the extent feasible, must seek to implement actions specified in those plans.
- ❖ No project shall receive funds from a grant program if it receives funds from the NPS Pollution Control Subaccount (CWC, Section 79110).

### **Proposition 40 Nonpoint Source Pollution Control (NPSPC) Program**

Eligible projects under the NPSPC Program are projects that:

- ❖ Are consistent with local watershed management plans and Regional Water Board plans.

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- ❖ Are broad-based NPS projects.
- ❖ Are consistent with the California Water Boards' "Integrated Plan for Implementation of the Watershed Management Initiative."
- ❖ Implement watershed best management practices (BMPs) and measures.
- ❖ Are consistent with requirements of Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 and have been identified as a needed project by the Board under the 15-year implementation strategy and five-year implementation plan of the Board's NPS Pollution Control Program.
- ❖ Improve the quality of drinking water supplies and address contamination by pathogens, organic carbon, or salinity.
- ❖ Are demonstration projects intended to prevent, reduce, or treat NPS pollution.

All projects under the NPSPC Program must meet the following requirements:

- ❖ All projects must demonstrate a capability of sustaining water quality benefits for a period of not less than 20 years.
- ❖ All projects must have defined water quality or beneficial use goals.

### **Clean Water Act, Section 319(h) NPS Implementation Program**

Eligible projects under the NPS Implementation Program are projects that:

- ❖ Are the same as those identified for the NPSPC PROGRAM.

Additionally, all NPS Implementation Program projects must meet the following requirements:

- ❖ All projects must implement activities that contribute to reduced pollutant loads as called for in an existing TMDL or a TMDL that is currently under development.  
(<http://www.waterboards.ca.gov/tmdl/tmdl.html>)
- ❖ All projects must implement activities that are part of watershed plans that address the USEPA required watershed-based plans that include at least the nine required watershed-based plan elements. Guidance on the Required Elements for Watershed-Based Plans, per CWA Section 319, is provided in Appendix F.

### **Proposition 40 Urban Stormwater Program**

Eligible projects under the USWP are projects that:

- ❖ Are designed to implement storm water runoff pollution reduction and prevention programs.
- ❖ Divert dry weather flows to publicly owned treatment works.
- ❖ Acquire and develop constructed wetlands.
- ❖ Implement approved BMPs required by storm water permits issued by the California Water Boards.

### **Propositions 40 and 50 Agricultural Water Quality Control Program**

Eligible projects under the AWQGP are projects that:

- ❖ Improve agricultural water quality through monitoring, demonstration projects, research, and/or construction of agricultural drainage improvements.
- ❖ Reduce pollutants in agricultural drainage water through reuse, integrated management, or treatment.

**Proposition 40 Integrated Watershed Management Program**

Eligible projects or a group of projects under the IWMP are projects that implement watershed protection and water management projects that include one or more of the following elements:

- ❖ Stormwater capture and treatment;
- ❖ NPS pollution reduction, management, and monitoring;
- ❖ Groundwater recharge and management projects;
- ❖ Water banking, exchange, and reclamation, and improvement of water quality;
- ❖ Vegetation management to improve watershed efficiency, aquatic and terrestrial habitat, the creation and enhancement of wetlands, and the acquisition, protection and restoration of open space;
- ❖ Planning and implementation of multipurpose flood control programs that protect property and improve wildlife habitat;
- ❖ Watershed management planning and implementation;
- ❖ Demonstration projects to develop new water treatment distribution and NPS pollution control methods;
- ❖ Erosion sediment control and stream enhancement projects, and permit coordination programs to facilitate watershed restoration projects that implement board approved management measures for pollution runoff;
- ❖ Monitoring, collection, and analysis of water quality and pollutant transport in groundwater and surface water;
- ❖ Native fisheries enhancement or improvement projects, and projects to restore other threatened species;
- ❖ Water conservation, water use efficiency, and water supply reliability;
- ❖ An enforceable waste discharge program, by a person subject to Article 4 of the CWC and whom the Regional Water Board has a name and address, that implements BMPs and includes all of the following:
  - (a) A clear description of how a project will achieve and maintain water quality standards;
  - (b) A monitoring component that assesses the effectiveness of adopted practices; and
  - (c) Submission of a report of waste discharge to the appropriate Regional Water Board.
- ❖ Development of local watershed management plans that meet the requirements of Section 79078 of the CWC.

Appendix C presents IWMP specific program requirements.

**D. GEOGRAPHIC SCOPE**

Proposals from throughout California will be considered for all funding programs. However, the CNPS has specific geographic requirements by statute. No less than \$16.2 million of the remaining funding in the CNPS will be distributed to projects in Los Angeles, Orange, San Bernadino, Riverside, San Diego, and Ventura counties. Approximately \$26.9 million will be distributed to projects in remaining counties. This geographic funding split is necessary to comply with the requirement that, as a whole, the Proposition 50 CNPS funds must be split 60/40 between southern and northern California, respectively.

#### ***IV. PRIORITIES AND STATEWIDE PREFERENCES***

This is one of the last major packages of grant funds available for distribution of Propositions 40 and 50 funds. It is crucial to focus these remaining resources on the most critical watershed and water quality problems. To do that, the highest regional priorities have been identified through working with staff from the State Water Board, Regional Water Boards, USEPA, and other partner agencies during a series of workgroup meetings. State Water Board staff also engaged stakeholders in the development of priorities during workshops and through website solicitation of comments. The priorities are presented in Appendix G.

CPs will be screened mainly on the basis of their ability to address the identified regional priorities, with other criteria (e.g., applicant's capabilities and experience, probability of success, incorporation of appropriate partners, technical expertise, etc.) also considered. Screening of CPs, based on regional priorities, allows the Full Proposal review and selection to focus on technical merit, probability of success, past performance, etc.

Propositions 40 and 50 have identified additional statewide preferences. These preferences are reflected in the Full Proposal Review Criteria (Appendix I).

##### **A. STATEWIDE AND REGIONAL WATER BOARD (CALIFORNIA WATER BOARDS) PRIORITIES**

The Statewide and Regional Water Board Priorities (known as California Water Boards priorities) are presented in Appendix G. Projects must address at least one California Water Board Priority in order to be eligible for funding.

##### **B. PARTNER AGENCY PRIORITIES**

Partner Agency Priorities are presented in Appendix G, and were developed based on information provided by the Resources Agency, Department of Water Resources, Department of Boating and Waterways, Department of Fish and Game, Department of Parks and Recreation, Coastal Commission, State Coastal Conservancy, Department of Forestry, Department of Conservation, and CALFED. Proposed projects for the IWMP grants must meet at least one Partner Agency Priority, one California Water Boards priority, and one additional priority from any of the Regional, Statewide, or partner agency priorities in order to be considered for the IWMP.

##### **C. STATEWIDE PREFERENCES**

The following preferences are identified in the Propositions 40 and 50 bond language. These preferences are reflected in the evaluation and scoring criteria and will be used by the Selection Panels when determining the recommended project funding lists. To the maximum extent possible and where appropriate, preferences should be given to projects that:

- ❖ Integrate, multiple-benefit projects;
- ❖ Provide safe drinking water and water quality projects that serve disadvantaged communities;
- ❖ Improve local and regional water supply reliability;
- ❖ Contribute expeditiously and measurably to the long-term attainment and maintenance of water quality standards;
- ❖ Eliminate or significantly reduce pollution into impaired waters and sensitive habitat areas, including areas of special biological significance (ASBS);
- ❖ Include watershed management partnerships that use a community-based collaborative approach to meeting the state's watershed management goals;
- ❖ Allocate funding to balance among large and small watersheds, coastal and inland watersheds, effluent reduction and source protection, and should be geographically balanced; and

- ❖ Implement programs that have multiple benefits.



## ***V. PROPOSAL SOLICITATION, REVIEW, AND SELECTION PROCESS***

The 2005-06 Consolidated Grants Program is structured as two separate solicitations: 1) CPs; and 2) Full Proposals. The solicitation process, review process, and selection process are described below.

### **A. SOLICITATION OF CONCEPT AND FULL PROPOSALS**

The State Water Board will release a CP Solicitation Notice upon adoption of the Guidelines. The CP Solicitation Notice will identify the due date and time for CP submittals, and will provide detailed instructions on the mechanics of submitting the CP.

The CP Solicitation Notice will be posted on State Water Board website at:

<http://www.waterboards.ca.gov/funding/consolidgrants0506.html>

A CP Solicitation Notice will also be e-mailed to all interested parties on the State Water Board's "Consolidated Grants 2005-06" electronic mailing list. Interested parties may sign up for the electronic mailing list at:

[http://www.waterboards.ca.gov/lyrisforms/swrcb\\_subscribe.html](http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html)

Solicitation for Full Proposals will be by invitation to applicants with the highest ranking CPs. The Full Proposal review process will also be competitive since the number of CPs invited back will exceed the total available funding. The Full Proposal Solicitation Notice will include information on the due date and time for Full Proposal submittals, and will provide detailed instructions on the mechanics of submitting the Full Proposal.

### **B. APPLICANT ASSISTANCE WORKSHOPS**

A minimum of four informational workshops will be conducted to address questions and to provide general assistance to applicants in preparing their CPs. The workshops will also provide detailed technical assistance on the procedures for determining disadvantaged community status, and other relevant topics. California Water Boards staff will also conduct workshops on proposal development for applicants invited to submit Full Proposals. The dates and locations of the CP and Full Proposal workshops will be provided on the State Water Board website at:

<http://www.waterboards.ca.gov/funding/consolidgrants0506.html>

In addition to the informational workshops, applicants are encouraged to seek assistance from State Water Board, Regional Water Boards, and USEPA staff in understanding the funding priorities, applicable program requirements, and completing grant applications. Applicants proposing projects that also address Partner Agency priorities are encouraged to work with staff from those agencies in developing project proposals.

### **C. CONCEPT PROPOSAL SUBMITTAL**

The CP application will consist of an on-line application submitted using the State Water Board's FAAST system. The procedures for submitting the CP will be presented the CP Solicitation Notice. The CP and evaluation criteria are presented in Appendix H. The on-line FAAST application for the CP can be found at the following secure link:

<https://faast.waterboards.ca.gov>

The on-line CP application will be available no **later** than January 13, 2006. Applications must contain all required items listed in the CP Solicitation Notice. **All applications, including attachments and supporting documentation, must be provided by the submittal deadline. Any material submitted after the deadline will not be reviewed or considered for funding and will be returned to the applicant.**

#### **D. FULL PROPOSAL SUBMITTAL**

The Full Proposal will allow the applicant to expand upon the CP submitted previously, provide the detail needed for the State Water Board to make a final funding decision, and also allow for an expedited contracting process. Applicants will be invited to submit detailed Full Proposals using the FFAST system.

The procedures for submitting the Full Proposals will be presented in the Full Proposal Solicitation Notice. Applications must include all required elements in the Full Proposal Solicitation Notice. Applications may include attachments with supplemental materials such as design plans and specifications, detailed cost estimates, feasibility studies, pilot projects, additional maps, GIS shape files, diagrams, letters of support, copies of agreements, or other applicable items. All supporting documentation will be requested in an electronic format through FFAST, unless specified otherwise. The Full Proposal evaluation criteria are presented in Appendix I. **All applications, including attachments and supporting documentation, must be provided by the submittal deadline. Any material submitted after the deadline will not be reviewed or considered for funding and will be returned to the applicant.**

#### **E. COMPLETENESS REVIEW**

CP applications must contain all required items listed in the CP Solicitation Notice. Full Proposals must contain all required information in the Full Proposal Solicitation Notice. Each CP and Full Proposal application will first be evaluated and screened for completeness. **Applications not containing all required information will not be reviewed or considered for funding, and applicants will be notified.**

#### **F. ELIGIBILITY REVIEW**

Complete applications will be evaluated for compliance with eligibility criteria during the CP and Full Proposal phases. All proposals must meet the Eligible Grant Recipient criteria in [Section III.B](#), Eligible Project criteria in [Section III.C](#), and the priority requirements in [Section IV.A](#) and [IV.B](#). The CP Eligibility Criteria Review Sheet is presented in Appendix H. **Applications that are determined to be ineligible will not be reviewed or considered for funding and applicants will be notified.**

#### **G. REVIEW AND SCORING PROCESS**

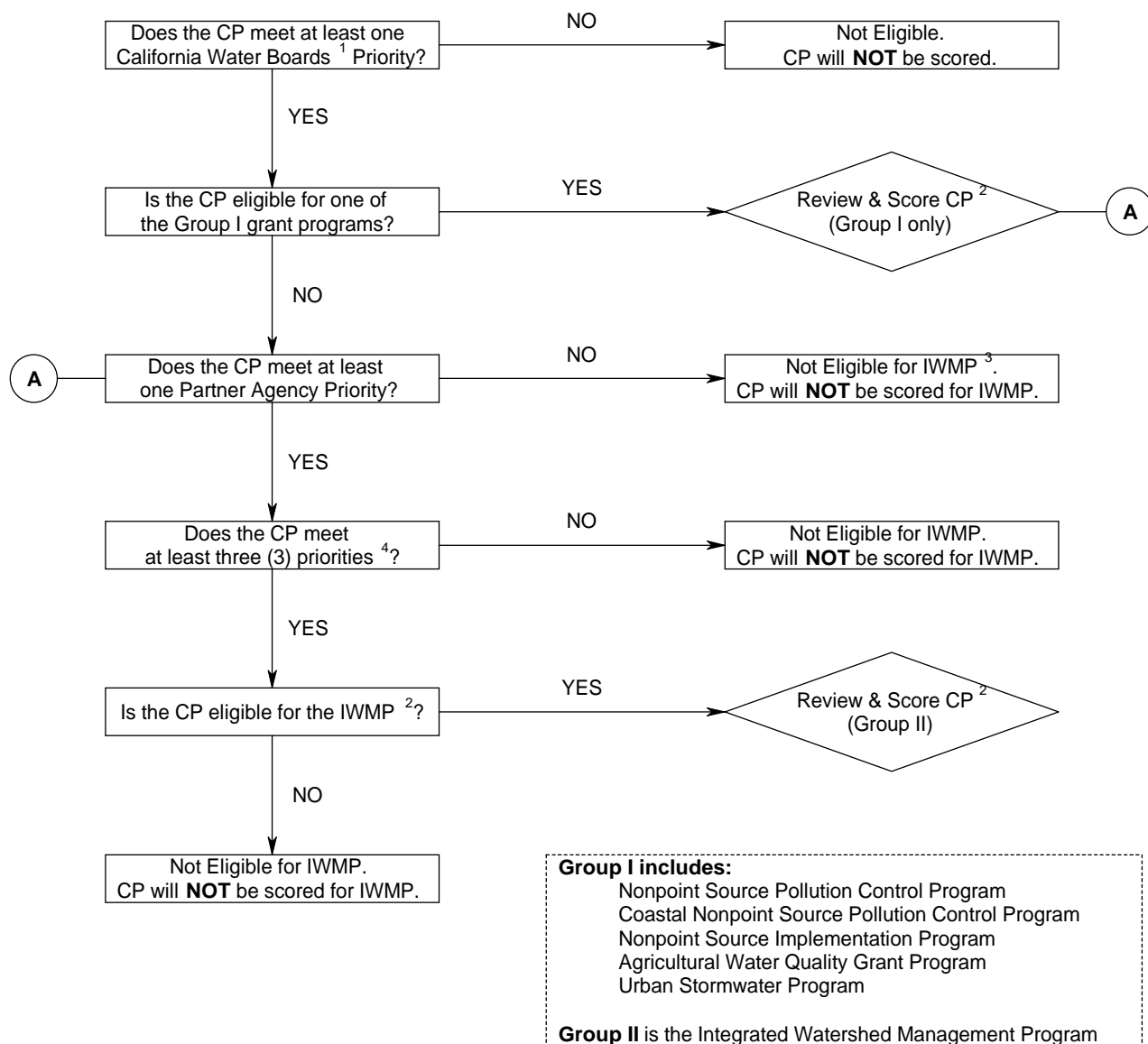
##### ***CONCEPT PROPOSALS***

All CPs must be submitted in FFAST by the posted date and time deadline. As the CPs arrive in FFAST, the CPs will be assigned to State Water Board staff for completeness and eligibility review. As part of this review, State Water Board staff will recommend the agencies that should review and score the eligible CPs based on the project type and funding source. The reviewer assignments will be made as follows:

- ❖ Regional Water Board staff to review CPs for all projects located in their region. If a project encompasses multiple regions, staff in all the corresponding Regional Water Boards to review the CP.
- ❖ USEPA staff to review every CP that applies for NPS Implementation Program (Clean Water Act, Section 319(h)) or TMDL implementation projects.
- ❖ The Deputy Assistant Secretary for Watersheds at the Resources Agency to distribute the IWMP CPs to the applicable resource agencies for review.
- ❖ Coastal Commission staff to review CPs that apply for CNPS grants and for all projects located in coastal areas.
- ❖ Coastal Conservancy staff to review CPs that address an OPC priority.
- ❖ Additional reviews will be accommodated if a request is made with sufficient notice.

The CP evaluation process is summarized in a flow chart (Figure 2).

Figure 2  
State Water Board  
2005-06 Consolidated Grants Program  
Concept Proposal (CP) Evaluation Process



**Notes:**

- 1 - California Water Boards = State Water Resources Control Board and Regional Water Quality Control Boards
- 2 - Proposals will be assigned to a review team for evaluation. Each review team will be formed according to project type as described in the Guidelines.
- 3 - IWMP = Integrated Watershed Management Program
- 4 - At least three (3) priorities must be addressed in proposals applying for the IWMP. The three (3) priorities can be any combination of California Water Boards and Partner Agency priorities.

Revised: 10/24/05



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Each CP will be scored by at least three reviewers using the FFAST system. All eligible CPs will be scored based on technical feasibility, ability to address the identified priorities, readiness to proceed, and other criteria outlined in the *CP Evaluation: Scoring Criteria* form (Appendix H).

Reviewer scores will be averaged in FFAST. State Water Board staff will review the scores for consistency among review results and as needed, may contact reviewers to resolve inconsistencies or disregard an outlier score in determining the average score for a CP. Once the scores are averaged, State Water Board staff will generate a list for each grant program (6 lists total), which will sort the CPs from high to low based on the final averaged scores. State Water Board staff will divide the CPs on each of the 6 lists into three categories:

- ❖ Invite Applicant Back to Submit Full Proposal;
- ❖ Applicant Not Invited to Submit Full Proposal; and
- ❖ Ineligible CP Submittal.

Full Proposals will be invited back up to a level equivalent to approximately 125 percent of the available grant funds in each program.

These six lists will be distributed to the Regional Water Boards, USEPA, and partner agencies for review. All six lists will be posted on the State Water Board's Division of Financial Assistance website (Appendix B) and notification letters/e-mails will be sent to all applicants.

CP scores will be used to select the most competitive projects and to determine whether an applicant should be invited to submit a Full Proposal. At the Full Proposal stage, all reviews will be based solely on the information provided in the Full Proposal, without regard to the CP score. However, the Full Proposals will be evaluated for consistency with what was submitted in the CP and major changes to the scope of work may disqualify the proposal.

### **FULL PROPOSALS**

Full Proposals will be evaluated by the following two groups: (1) Technical Review Teams; and (2) Selection Panels. The role, makeup, and purpose of each group are outlined below.

**Technical Review Teams.** All complete and eligible Full Proposals will be evaluated and scored by technical review teams. Technical review team members will individually score Full Proposals in accordance with the evaluation criteria presented in Appendix I. Technical review teams will be comprised of subject matter experts from the State Water Board, Regional Water Boards, other agencies, and outside experts. The State Water Board will conduct an on-line search for subject matter experts to review Full Proposals.

Each review team will be comprised of at least three technical reviewers who will evaluate and score each eligible Full Proposal. Technical review teams will be developed based on the "Project Type" categories outlined in the CP. Technical reviewers within each team will review all Full Proposals with that "Project Type." For example, all Full Proposals with an "Erosion and/or Sediment Control" focus will be reviewed by the "Erosion and/or Sediment Control" review team. Additional technical review teams may be identified as needed based on the number of proposals received and their project type. Based on the availability of Regional Water Board staff resources, staff may choose not to do a full review of all Full Proposals within their region. However, Regional Water Board staff may choose to provide comments on a Full Proposal in FFAST for the projects in their region that they have not been assigned to review.

Each Full Proposal will be evaluated and scored based on the information the applicant provides in FFAST. Previous knowledge, conversations, or outside information that is not provided in the Full Proposal will not be used to evaluate and score Full Proposals.

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To limit bias and make the process more objective and transparent, any reviewer with a conflict of interest with a project will not score the corresponding proposal. Reviewers must complete a conflict of interest form before they will be allowed to review and score Full Proposals.

Following completion of the individual technical reviews, the technical review team will discuss the Full Proposals, and develop a technical review team group review and score for each eligible Full Proposal. Based on the consensus scores, Full Proposals will be compiled into a preliminary ranked list for each of the six grant programs. The ranked lists will be sent out to the Regional Water Board staff and technical review team members for review/comment. The scope of the review and comments will be limited to errors and/or inconsistencies in compiling the ranked list.

**Selection Panels.** The State Water Board will then convene a Selection Panel for each grant program to review the preliminary ranking list, technical scores, and comments. If a technical review team cannot reach a consensus on any criteria, the Selection Panel will determine a final score for that criteria based on individual reviewer comments. If there is a disparity in the scores or concerns from the technical reviewers, the Selection Panel will consider them or may revise the scores as appropriate. Prior to making the funding recommendations, the Selection Panel will consider Statewide Preferences and may add bonus points to the technical review panel score based on the project's ability to meet Statewide Preferences. The Selection Panels will come up with the final recommended funding list, which will be presented to the State Water Board for adoption.

The Selection Panel will be comprised of management level representatives from the following agencies:

- ❖ CNPS: Coastal Commission, Coastal Conservancy, and State Water Board
- ❖ NPSPC Program: State Water Board and USEPA
- ❖ NPS Implementation Program: State Water Board, Coastal Commission, and USEPA
- ❖ USWP: State Water Board and USEPA
- ❖ AWQGP: Department of Food and Agriculture, Department of Pesticide Regulation, USEPA, and State Water Board
- ❖ IWMP: Resources Agency and State Water Board

The Selection Panel makes initial funding recommendations, considering the following items:

- ❖ Consensus review and score;
- ❖ Statewide Preferences ([Section IV.C](#));
- ❖ Geographic Scope and Distribution ([Section III.D](#)).
- ❖ Amount of funds available for the grant type;

Selection Panels may recommend reducing individual grant amounts from the requested amount. However, such reductions will be considered only if technical reviewers have indicated in their review comments that the budget is too high or some tasks are not necessary. A reduction would also be weighed against whether the reduced funding would impede project implementation. Additionally, a Selection Panel may adjust individual scores to ensure that: (1) evaluation criteria have been consistently applied; (2) the recommended funding list reflects the breadth of the Statewide Preferences and Priorities; and (3) funding is equitably distributed throughout the State.

## **H. ACCELERATED SELECTION AND CONTRACTING PROCEDURE (ASCP)**

Applicants applying for IWMP grants maybe eligible for the ASCP. To be eligible for the ASCP, the project must: (1) be part of an approved watershed management plan consistent with Public Resources Code, section

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30947; (2) be fully permitted and ready to be implemented; and (3) include matching funds or services donated from nonstate sources. For more information on the ASCP criteria, refer to Appendix C, Specific IWMP Requirements.

During the CP and Full Proposal eligibility review, the CPs and Full Proposals applying for IWMP grants will be screened for projects that meet the ASCP requirements. Questions in the CP and Full Proposal will enable State Water Board staff to determine if projects are eligible for the ASCP. A separate technical review team will be assembled to evaluate and score Full Proposals that are eligible for the ASCP. Projects eligible for the ASCP will be reviewed and scored first.

The IWMP Selection Panel will meet to expedite the generation of the recommended funding list for the ASCP projects, which will be presented to the State Water Board for adoption before the non-ASCP projects. ASCP project grant agreements will also be expedited.

### **I. APPLICANT NOTIFICATION**

The list of proposals recommended for funding will be posted on State Water Board website (<http://www.waterboards.ca.gov/funding/consolidgrants0506.html>) and applicants will be notified of the availability of the recommended funding list. Prior to State Water Board adoption, applicants will be provided with their evaluation results and will be given the opportunity to provide comments.

### **J. FUNDING AWARDS**

The State Water Board will consider adoption of the funding recommendations developed by the Selection Panels at a State Water Board meeting. Following approval by the State Water Board, the selected grant recipients will be notified.

### **K. GRANT AGREEMENT**

Although the grant solicitation and selection process is implemented by the State Water Board, the grant agreement oversight will be coordinated between the State Water Board and the Regional Water Boards depending on the scope of the proposal.

Following funding awards, the State Water Board will execute a grant agreement with the grant recipient. Grant agreements are not executed until signed by authorized representatives of the grant recipient and the State Water Board. A copy of a Grant Agreement Template is available on the State Water Board website at:

<http://www.waterboards.ca.gov/funding/consolidgrants0506.html>

The State Water Board encourages collaboration in the development and implementation of Projects. Parties that wish to collaborate on a proposal may elect to use a contractor-subcontractor relationship, a joint venture, a joint powers authority, or other appropriate mechanism. Grant agreements will be executed with one eligible grant recipient per project. This recipient can fund partners that are responsible for implementation of the component projects.

### **L. REIMBURSEMENT OF COSTS**

Reimbursable costs are defined in Appendix E. Only work performed **after** the date of adoption of the grant Guidelines, and clearly identified in selected project budgets will be eligible for reimbursement. **Advance funds will not be provided. Matching funds have the same requirements as reimbursable costs.**



## **VI. GENERAL REQUIREMENTS**

### **A. CONFLICT OF INTEREST**

All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void. Other legal action may also be taken. Before submitting an application, applicants are urged to seek legal counsel regarding conflict of interest requirements. Applicable statutes include, but are not limited to, California Government Code Section 1090 and California Public Contract Code Sections 10410 and 10411.

### **B. CONFIDENTIALITY**

Once the proposal has been submitted to State Water Board, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package will be waived.

The location of all projects awarded funding, including the locations of management measures or practices implemented, must be reported to the State Water Board and the Regional Water Boards and will be available to the public in the project files. Additionally, the State Water Board and the Regional Water Boards report project locations to the public through internet-accessible databases. The locations of all monitoring points, and all monitoring data generated must be provided to the State Water Board and Regional Water Boards and will not be kept confidential. The State Water Board uses Geographical Positioning System (GPS) coordinates for project/sampling locations.

### **C. LABOR CODE COMPLIANCE**

California Labor Code Section 1771.8 requires the body awarding a contract for a public works project financed in any part with funds made available by Proposition 50 to adopt and enforce a labor compliance program pursuant to California Labor Code Section 1771.5(b). Compliance with applicable laws, including California Labor Code provisions, will become an obligation of the grant recipient under the terms of the grant agreement between the grant recipient and the State Water Board. California Labor Code Section 1771.8 appears to provide, where applicable, that the grant recipient's Labor Compliance Program must be in place at the time of awarding of a contract for a public works project by the grant recipient.

Before submitting an application, applicants are urged to seek legal counsel regarding California Labor Code compliance. See Appendix B for web links to the California Department of Industrial Relations.

### **D. CEQA COMPLIANCE**

All projects funded under the 2005-06 Consolidated Grants Program must comply with the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 *et seq.*) and/or National Environmental Policy Act (NEPA). See Appendix B for links to CEQA information and the State Clearinghouse Handbook.

Grantees are responsible for complying with all applicable laws and regulations for their projects, including the CEQA and the NEPA, if applicable. State Water Board selection of a project for a grant does not foreclose appropriate consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project during the CEQA review process. No work that is subject to CEQA and/or NEPA may proceed until documents that satisfy the environmental review process are received by the Grant Manager and reviewed and approved by the State Water Board, the responsible agency. Details about the State Water Board's environmental review process can be found in Appendix J.



## **E. WATERSHED MANAGEMENT PLAN CONSISTENCY**

Any watershed protection activities must be consistent with the applicable, adopted, local watershed management plans and the applicable Water Quality Control Plans (Basin Plan) adopted by the Regional Water Board. See Appendix B for web links to the Basin Plans. (CWC Section 79507)

## **F. WAIVER OF LITIGATION RIGHTS**

Grant agreements funded by the State Water Board will specify that acceptance of grant funds constitutes a waiver of litigation rights (including pending actions) to challenge any State Water Board or Regional Board regulation or order, which is reasonably related to the purpose of the grant.

## **G. PROJECT ASSESSMENT AND EVALUATION PLANS**

All Full Proposals must include a Project Assessment and Evaluation Plan (PAEP) to summarize how project performance will be assessed, evaluated, and reported. The goals of the PAEP are to:

- ❖ Provide a framework for assessment and evaluation of project performance.
- ❖ Identify measures that can be used to monitor progress towards achieving project goals.
- ❖ Provide a tool for grant recipients and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill grant agreement requirements.

The PAEP will include a summary of project goals, the desired project outcomes, the appropriate performance measures to track the project progress, and measurable targets that the applicant thinks are feasible to meet during the project period. The PAEP is not intended to be a monitoring plan. A PAEP template and guidance on preparing a PAEP are presented in Appendix K.

## **H. MONITORING AND REPORTING**

All projects affecting water quality must include a monitoring component that allows integration of data into statewide monitoring efforts, including the Surface Water Ambient Monitoring Program (SWAMP) and/or the Groundwater Ambient Monitoring Assessment (GAMA) Program. Both programs include data quality assurance and quality control requirements. Projects that include water quality monitoring must include development of an appropriate monitoring plan, Quality Assurance Project Plan (QAPP), and tasks. For surface water monitoring, the QAPP must be prepared in accordance with the SWAMP QAPP template.

Groundwater projects and projects that affect groundwater shall include groundwater monitoring requirements consistent with the Groundwater Quality Monitoring Act of 2001 (Part 2.76 (commencing with Section 10780) of Division 6 of the CWC).

Projects must include the development and submittal of progress reports and a final report.

## **I. DATA MANAGEMENT**

Projects must include appropriate data management activities so that project data can be incorporated into appropriate statewide data systems. Project-generated data will be available to the stakeholders, agencies, and the public. Web links to additional information on the State Water Board's statewide data management efforts are provided in Appendix B.

## **J. MODIFICATION OF A RIVER STREAM CHANNEL**

Projects that include modification of a river or stream channel must fully mitigate environmental impacts resulting from the modification. The applicant must provide documentation that the environmental impacts resulting from such modification will be fully mitigated considering all of the impacts of the modification and any mitigation, environmental enhancement, and environmental benefit resulting from the project, and whether,

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on balance, any environmental enhancement or benefit equals or exceeds any negative environmental impacts of the project. (CWC § 79560 and § 79560.1(b))

**K. URBAN WATER MANAGEMENT PLAN**

The Urban Water Management Planning Act (the Act), CWC § 10610 et seq. provides that urban water suppliers must prepare, adopt, and submit urban water management plans to Department of Water Resources (DWR) in compliance with the Act in order to be eligible to receive funding.

**L. GROUNDWATER MONITORING REQUIREMENTS**

Any groundwater projects and projects that affect groundwater shall include groundwater monitoring requirements consistent with the Groundwater Quality Monitoring Act of 2001 (Part 2.76 [commencing with § 10780] of Division 26 of the CWC). See Appendix B for web links to the State Water Board groundwater monitoring and reporting requirements.

**M. CALFED PROGRAM CONSISTENCY**

Any project that assists in meeting one or more of the CALFED Bay-Delta Program goals must be consistent with the CALFED Programmatic Record of Decision and must be implemented, to the maximum extent possible, through local and regional programs. See Appendix B for web links to the CALFED Programmatic Record of Decision. (CWC § 79509)

**APPENDIX A****2005-06 CONSOLIDATED GRANTS PROGRAM SUMMARY TABLE**

<b>2005-06 Consolidated Grants Program</b>			
<b>Grant Program</b>	<b>Eligible Applicants</b>	<b>Project Eligibility</b>	<b>Funding Available</b>
<b>Coastal Non-Point Source Pollution Control Program</b>  <i>Purpose: Projects that restore and protect the water quality and environment of coastal waters, estuaries, bays, nearshore waters, and groundwater.</i>  <b>(State Water Board and Regional Water Boards)</b>  <b>Water Code (WC) Section 79543 (Prop 50, Ch 5)</b>	a. Municipalities b. Local Public Agencies c. Educational Institutions d. Nonprofit Organizations e. State Agencies f. Indian Tribes g. Federal Agencies <sup>i</sup>	Grants may be awarded for any of the following projects: 1. Improve water quality at public beaches and make improvements to ensure coastal waters adjacent to public beaches meet bacteriological standards. 2. Provide comprehensive capability for monitoring, collecting, and analyzing ambient water quality, including monitoring technology that can be entered into a statewide information base with standardized protocols and sampling, collection, storage, and retrieval procedures. 3. Make improvements to existing sewer collection systems and septic systems for restoration and protection of coastal water quality. 4. Implement storm water and runoff pollution reduction and prevention programs for restoration and protection of coastal water quality. 5. Consistent with State's nonpoint source control program.  <b>** Additional Project Eligibility Requirements **</b> 1. All projects must demonstrate capability of contributing to sustained, long-term water quality or environmental restoration or protection benefits for a period of 20 years, address the causes of degradation, rather than the symptoms, and be consistent with water quality and resource protection plans prepared, implemented, or adopted by the State Water Board, the applicable Regional Water Board, and the California Coastal Commission. 2. Where recovery plans for coho salmon, steelhead trout, or other threatened or endangered species exist, projects funded must be consistent with those plans, and to the extent feasible, must seek to implement actions specified in those plans. 3. No project shall receive funds from this grant program if it receives funds from the Nonpoint Source Pollution Control Subaccount (WC, Section 79110).  California Water Code, Section 79148.8(f) requires a matching contribution for the portion of the project consisting of capital costs <sup>ii</sup> for construction, according to the following formula: <ul style="list-style-type: none"> <li>\$1,000,000 to \$5,000,000, inclusive.....20%</li> <li>\$125,000 to \$999,999, inclusive.....15%</li> <li>\$1 to \$124,999, inclusive.....10%</li> </ul>	Approximate Total = \$43.1 Million  Projects in Los Angeles, Orange, San Bernardino, Riverside, San Diego, and Ventura counties = \$16.2 million Projects in remaining counties = \$26.9 million Grants in consultation with California Coastal Commission.  Grant Project Maximum - \$5,000,000  At least \$10 million will fund high priority coastal and ocean protection projects that specifically address the priorities of both the State Water Board and Ocean Protection Council.  Funds must be encumbered by June 2008. Funds must be spent by June 2010. (Projects should be completed by March 2010.)

**APPENDIX A****2005-06 CONSOLIDATED GRANTS PROGRAM SUMMARY TABLE**

<b>2005-06 Consolidated Grants Program</b>			
<b>Grant Program</b>	<b>Eligible Applicants</b>	<b>Project Eligibility</b>	<b>Funding Available</b>
<b>Non-Point Source Pollution Control Program</b>  <i>Purpose: Projects that protect the beneficial uses of water throughout the state through the control of nonpoint source pollution.</i>  <b>(State Water Board and Regional Water Boards)</b>  <b>Public Resources Code (PRC) Section 30935 (Prop 40, Ch 4)</b>	a. Local Public Agencies b. Nonprofit Organizations	Projects that meet at least one of the criterion listed below: 1. Projects consistent with local watershed management plans and regional water quality control plans. 2. Broad-based non-point source projects. 3. Consistent with the California Water Boards' "Integrated Plan for Implementation of the Watershed Management Initiative." 4. Implement watershed best management practices (BMPs) and measures 5. Consistent with requirements of Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 and has been identified as a needed project by the State Water Board under the 15-year implementation strategy and five-year implementation plan of the board's nonpoint source pollution control program. 6. Improves quality of drinking water supplies and addresses contamination by pathogens, organic carbon, or salinity. 7. Demonstration projects that are intended to prevent, reduce, or treat nonpoint source pollution. <b>** Additional Project Eligibility Requirements **</b> 1. All projects must demonstrate a capability of sustaining water quality benefits for a period of not less than 20 years. 2. All projects must have defined water quality or beneficial use goals.	Approximate Total = \$19 Million  Funds must be encumbered by December 31, 2006. Funds must be spent by December 31, 2008. (So projects should be completed by September 2008.)
<b>NPS Implementation Program</b>  <i>Purpose: Projects that control activities that impair beneficial uses and that limit pollutant effects caused by those activities.</i>  <b>(State Water Board, Regional Water Boards, and U.S. Environmental Protection Agency)</b>  <b>Federal Clean Water Act Section 319 (h)</b>	a. Public Agencies b. Nonprofit Organizations c. Indian Tribes d. State or Federal Agencies may qualify if certain criteria are met. <sup>1</sup> e. Educational Institutions	1. Implementation of management measures or practices that reduce or prevent non-point source pollution to ground and surface waters. 2. Total Maximum Daily Load (TMDL) Implementation 3. Projects can include (1) technology transfer; (2) demonstration projects; (3) technical assistance; (4) monitoring; or (5) public education/outreach.  <b>** All projects implemented with Section 319 funds must be consistent with watershed-based plans that include the nine required watershed-based plan elements. Section 319 funded projects are also required to implement activities that reduce pollutant loads consistent with an existing or under development TMDL. **</b>	Approximate Total = \$4.5 Million based on annual federal appropriation

**APPENDIX A****2005-06 CONSOLIDATED GRANTS PROGRAM SUMMARY TABLE**

<b>2005-06 Consolidated Grants Program</b>			
<b>Grant Program</b>	<b>Eligible Applicants</b>	<b>Project Eligibility</b>	<b>Funding Available</b>
<b>Agricultural Water Quality Grant Program</b>  <i>Purpose: Projects to improve agricultural water quality through monitoring, demonstration projects, research, construction of agricultural drainage improvements, and to reduce pollutants in agricultural drainage water through reuse, integrated management, or treatment.</i>  <b>(State Water Board and Regional Water Boards)</b>  <b>PRC Section 30940</b> <b>Prop 40 (Ch 4)</b> <b>WC Section 79540.1</b> <b>Prop 50 (Ch 5)</b>	a. Public Agencies b. Nonprofit Organizations c. Educational Institutions d. Indian Tribes e. State Agencies <sup>i</sup> f. Federal Agencies <sup>i</sup>	Projects that improve agricultural water quality through monitoring, demonstration projects, research, construction of agricultural drainage improvements, and to reduce pollutants in agricultural drainage water through reuse, integrated management, or treatment.  The State Water Board, in consultation with the Department of Food and Agriculture and the program advisory review board established pursuant to Section 593 of the Food and Agricultural Code, must develop criteria for evaluating projects considered for grants under this section.	Approximate Total = \$14 Million  Funds originally part of the 2004-05 Agricultural Water Quality Grant Program.  Proposition 40 funds must be encumbered by December 2006. Funds must be spent by December 2008. (Projects should be completed by September 2008.)  Proposition 50 funds must be encumbered by June 2007. Funds must be spent by June 2009. (Projects should be completed by March 2009.)

## APPENDIX A

## 2005-06 CONSOLIDATED GRANTS PROGRAM SUMMARY TABLE

2005-06 Consolidated Grants Program			
Grant Program	Eligible Applicants	Project Eligibility	Funding Available
<b>Integrated Watershed Management Program<sup>iii</sup></b>  <i>Purpose: Projects for development of local watershed management plans and for implementation of watershed protection of watershed protection and water management projects.</i>  <b>(State Water Board and Regional Water Boards)</b>  <b>PRC Section 30945-30949 (Prop 40, Ch 4)</b>	a. Public Agencies b. Nonprofit Organizations c. Educational Institutions d. State Agencies e. Federal Agencies <sup>i</sup>	1. Development of local watershed management plans that meet requirements of Section 79078 of Water Code <sup>iv</sup> . 2. Implementation of watershed protection and water management projects that include one or more of the following elements: a. Stormwater capture and treatment; b. Non-point source pollution reduction, management, and monitoring; c. Groundwater recharge and management projects; d. Water banking, exchange, and reclamation, and improvement of water quality; e. Vegetation management to improve watershed efficiency, aquatic and terrestrial habitat, the creation and enhancement of wetlands, and the acquisition, protection, and restoration of open space; f. Planning and implementation of multipurpose flood control programs that protect property and improve water quality and stormwater capture and percolation, and protect or improve wildlife habitat; g. Watershed management planning and implementation; h. Demonstration projects to develop new water treatment distribution and non-point source pollution control methods; i. Erosion sediment control and stream enhancement projects, and permit coordination programs to facilitate watershed restoration projects that implement Board approved management measures for pollution runoff; j. Monitoring, collection, and analysis of water quality and pollutant transport in groundwater and surface water; k. Native fisheries enhancement or improvement projects, and projects to restore other threatened species; l. Water conservation, water use efficiency, and water supply reliability; and m. An enforcement discharge program, by a person subject to Article 4 (commencing with Section 13260) of Chapter 4 of Division 7 of the Water Code and whom the Board has a name and address, that implements best management practices and includes all of the following: (A) A clear description of how a project will achieve and maintain water quality standards; (B) A monitoring component that assesses the effectiveness of adopted practices; and (C) Submission of a report of waste discharge to the appropriate Regional Water Board.	Approximate Total = \$47.5 Million  Funds must be encumbered by December 31, 2006. Funds must be spent by December 31, 2008. (Projects should be completed by September 2008.)  Additional funding requirements: - No more than 50% of funds shall be distributed using the accelerated selection and contracting procedure (ASCP) <sup>v</sup> . - ASCP only available to projects that meet all of criteria listed in PRC, section 30948(a)-(c).

## APPENDIX A

## 2005-06 CONSOLIDATED GRANTS PROGRAM SUMMARY TABLE

2005-06 Consolidated Grants Program			
Grant Program	Eligible Applicants	Project Eligibility	Funding Available
<b>Urban Storm Water Program</b>  <i>Purpose: Projects designed to implement stormwater runoff pollution reduction and prevention programs.</i>  <b>(State Water Board and Regional Water Boards)</b>  <b>PRC Section 30930 (Prop 40, Ch 4)</b>	a. Local Public Agencies	Projects designed to implement stormwater runoff pollution reduction and prevention programs (e.g., diversion of dry weather flows to publicly owned treatment works for treatment, acquisition, and development of constructed wetlands and the implementation of approved BMPs, required by storm water permits issued by California Water Boards).	Approximate Total = \$14.25 Million  Funds must be encumbered by December 31, 2006. Funds must be spent by December 31, 2008. (Projects should be completed by September 2008.)

<sup>i</sup> Federal and State agency grant recipients are eligible for funding if collaborating with local entities involved in watershed management or if proposing statewide projects.

<sup>ii</sup> Public Resources Code, section 32025, defines "cost," as applied to a project, or a part thereof, financed under this division, or any part of, the costs of construction and acquisition, of all lands, structures, real or personal property, rights, rights-of-way, franchises, easements, and interests acquired or used for a project, the cost of demolition or removal of any buildings or structures on land so acquired, including the cost of acquiring any lands on which buildings or structures may be removed, the cost of all machinery and equipment, financing charges, interest prior to, during, and for a period after completion of the construction, as determined by the authority, provisions for working capital, reserves for principal and interest, and for extensions, enlargements, additions, replacements, renovations, and improvements, the cost of architectural, engineering, financial, and legal services, plans, specification, estimates, administrative expenses, and other expenses necessary or incidental to determining the feasibility of constructing any project, or incident to the construction or acquisition or financing of any project.

<sup>iii</sup> Program must be implemented consistent with November 30, 2004 Memorandum of Understanding between the California Environmental Protection Agency and the California Resources Agency.

<sup>iv</sup> "Local watershed management plan" means a document prepared by a local watershed group that sets forth a strategy to achieve an ecologically stable watershed, and that does all of the following: (1) Defines the geographical boundaries of the watershed; (2) Describes the natural resource conditions within the watershed; (3) Describes measurable characteristics for water quality improvements; (4) Describes methods for achieving and sustaining water quality improvements; (5) Identifies any person, organization, or public agency that is responsible for implementing the methods described in paragraph (4); (6) Provides milestones for implementing the methods described in paragraph (4); and (7) Describes a monitoring program designed to measure the effectiveness of the methods described in paragraph (4).

<sup>v</sup> The accelerated selection and contracting procedure is only available to projects that meet all of the following criteria: (1) the project is part of an approved watershed management plan consistent with Section 30947 (see iii); (2) the project is fully permitted and ready to be implemented; and (3) funding for the project includes matching funds or services donated from nonstate sources.





## **APPENDIX B**

### ***USEFUL WEB LINKS***

- ASBS** <http://www.waterboards.ca.gov/plnspols/oplans/asbs.html>
- CALFED Record Of Decision** <http://calwater.ca.gov/Archives/GeneralArchive/RecordOfDecision2000.shtml>
- CEQA Information**
- Environmental Information: <http://ceres.ca.gov/index.html>
  - California State Clearinghouse Handbook: [http://www.opr.ca.gov/planning/PDFs/sch\\_handbook.pdf](http://www.opr.ca.gov/planning/PDFs/sch_handbook.pdf)
  - CEQA Guidelines: [http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)
- California Water Code (CWC)** <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=wat&codebody=&hits=20>
- California Watershed Portal** <http://cwp.casil.ucdavis.edu/>
- MOU between Cal/EPA and Resources Agency** [http://cwp.resources.ca.gov/uploads/images/53/MOU\\_watershed.pdf](http://cwp.resources.ca.gov/uploads/images/53/MOU_watershed.pdf)
- Performance Assessment and Evaluation Plan Websites**  
Project Planning, Research, Monitoring, and Assessment (many of these resources also apply to BMP implementation or habitat restoration effectiveness monitoring)
- <http://cwam.ucdavis.edu/>
  - <http://www.waterboards.ca.gov/nps/volunteer.html>
  - <http://www.waterboards.ca.gov/swamp/qapp.html>
  - <http://www.epa.gov/watertrain>
  - [http://www.dfg.ca.gov/cabw/csbp\\_2003.pdf](http://www.dfg.ca.gov/cabw/csbp_2003.pdf)
  - <http://www.wrmp.org/cram.html>
  - <http://www.calfish.org/DesktopDefault.aspx?tabId=112>
  - [http://www.cnr.berkeley.edu/forestry/comp\\_proj/DFG/Monitoring%20the%20Implementation%20and%20Effectiveness%20of%20Fisheries.pdf](http://www.cnr.berkeley.edu/forestry/comp_proj/DFG/Monitoring%20the%20Implementation%20and%20Effectiveness%20of%20Fisheries.pdf)
- Education and Outreach**
- [http://www.michigan.gov/deq/0,1607,%207-135-3313\\_3682\\_3714-75944--,00.html](http://www.michigan.gov/deq/0,1607,%207-135-3313_3682_3714-75944--,00.html)
  - [http://cecommerce.uwex.edu/pdfs/G3658\\_10.PDF](http://cecommerce.uwex.edu/pdfs/G3658_10.PDF)
- Pollutant Load Reduction Activities**
- <http://it.tetrattech-ffx.com/stepl/>
  - <http://www.sfei.org/watersheds/reports/GuadalupeYearIfinal.pdf>
  - <http://www.sccwrp.org/pubs/annrpt/96/ar-04.htm>
- Habitat Restoration**
- <http://www.dfg.ca.gov/nafwb/manual.html>
  - <http://www.dfg.ca.gov/nafwb/pubs.html>
  - [http://www.dfg.ca.gov/hcpb/species/stds\\_gdl/survmonitr.shtml](http://www.dfg.ca.gov/hcpb/species/stds_gdl/survmonitr.shtml)
  - <http://www.epa.gov/watertrain>
  - <http://www.waterboards.ca.gov/sanfranciscobay/Agenda/04-16-03/Stream%20Protection%20Circular.pdf>
  - <http://water.usgs.gov/nawqa/protocols/OFR-93-408/habit1.html>
- PAEP Tools and Project Performance Measures Tables**
- <http://www.waterboards.ca.gov/funding/paep.html>

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**Proposition 50 Bond Language**    [http://resources.ca.gov/bonds\\_prop50.html](http://resources.ca.gov/bonds_prop50.html)

**Proposition 40 Bond Language**    <http://www.waterboards.ca.gov/funding/prop40.html>

**Public Resources Code (PRC)**    <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=prc>

### **Regional Water Board Program Watershed Management Initiative Chapters**

- Region 1: <http://www.waterboards.ca.gov/northcoast/programs/watermanageinit.html>
- Region 2: <http://www.waterboards.ca.gov/sanfranciscobay/watershedmanagement.htm>
- Region 3: [http://www.waterboards.ca.gov/centralcoast/WMI/WMI\\_2002\\_Final\\_Document\\_Revised\\_1-22-02.pdf](http://www.waterboards.ca.gov/centralcoast/WMI/WMI_2002_Final_Document_Revised_1-22-02.pdf)
- Region 4: <http://www.waterboards.ca.gov/losangeles/html/fundings.html>
- Region 5: [http://www.waterboards.ca.gov/centralvalley/available\\_documents/watershed/R5\\_WMI\\_chapter.html](http://www.waterboards.ca.gov/centralvalley/available_documents/watershed/R5_WMI_chapter.html)
- Region 6: [http://www.waterboards.ca.gov/lahontan/WMI/WMI\\_Index.htm](http://www.waterboards.ca.gov/lahontan/WMI/WMI_Index.htm)
- Region 7: <http://www.waterboards.ca.gov/coloradoriver/wmi.html>
- Region 8: <http://www.waterboards.ca.gov/santaana/html/wmi.html>
- Region 9: <http://www.waterboards.ca.gov/sandiego/programs/units/grants/wmchT15trgtproj103.PDF>  
<http://www.waterboards.ca.gov/sandiego/programs/wmc.html>

### **Regional Water Quality Control Plans (Basin Plans)**

- Region 1: <http://www.waterboards.ca.gov/northcoast/programs/basinplan/basin.html>
- Region 2: <http://www.waterboards.ca.gov/sanfranciscobay/basinplan.htm>
- Region 3: <http://www.waterboards.ca.gov/centralcoast/BasinPlan/Index.htm>
- Region 4: [http://www.waterboards.ca.gov/losangeles/html/meetings/tmdl/Basin\\_plan/basin\\_plan.html](http://www.waterboards.ca.gov/losangeles/html/meetings/tmdl/Basin_plan/basin_plan.html)
- Region 5: [http://www.waterboards.ca.gov/centralvalley/available\\_documents/index.html#anchor616381](http://www.waterboards.ca.gov/centralvalley/available_documents/index.html#anchor616381)
- Region 6: [http://www.waterboards.ca.gov/lahontan/BPlan/BPlan\\_Index.htm](http://www.waterboards.ca.gov/lahontan/BPlan/BPlan_Index.htm)
- Region 7: <http://www.waterboards.ca.gov/coloradoriver/documents/RB7Plan.pdf>
- Region 8: [http://www.waterboards.ca.gov/santaana/html/basin\\_plan.html](http://www.waterboards.ca.gov/santaana/html/basin_plan.html)
- Region 9: <http://www.waterboards.ca.gov/sandiego/programs/basinplan.html>

### **State Water Board Program Information:**

- 303d List: [http://www.waterboards.ca.gov/tmdl/docs/2002\\_cwa\\_section\\_303d\\_list\\_wqls\\_020403.pdf](http://www.waterboards.ca.gov/tmdl/docs/2002_cwa_section_303d_list_wqls_020403.pdf)
- TMDL List: <http://www.waterboards.ca.gov/funding/docs/tmdllist.doc>
- NPS Program: <http://www.waterboards.ca.gov/nps/protecting.html>
- NPS Plan: <http://www.waterboards.ca.gov/nps/5yrplan.html>
- Critical Coastal Areas Program: <http://www.coastal.ca.gov/nps/cca-nps.html>
- Watershed Action Plan Outline: <http://www.coastal.ca.gov/nps/cca-plan-outline.pdf>
- California Ocean Plan: <http://www.waterboards.ca.gov/plnspols/oplans/index.html>
- USEPA Watershed Plan Elements: [http://www.epa.gov/owow/nps/Section\\_319/319guide03.html](http://www.epa.gov/owow/nps/Section_319/319guide03.html)
- Stormwater Program: <http://www.waterboards.ca.gov/stormwtr/index.html>
- Groundwater Monitoring: <http://www.waterboards.ca.gov/gama/>

### **State Water Board Statewide Data Management Programs**

- Surface Water Ambient Monitoring Program: <http://www.waterboards.ca.gov/swamp/index.html>
- Groundwater Ambient Monitoring Assessment: <http://www.waterboards.ca.gov/gama/>
- SWAMP QAPP Template: [http://www.waterboards.ca.gov/swamp/docs/swampqapp\\_template032404.doc](http://www.waterboards.ca.gov/swamp/docs/swampqapp_template032404.doc)

**USEPA's NPS Program:** <http://www.epa.gov/fedrgstr/EPA-WATER/2003/October/Day-23/w26755.htm>

**US Census 2000:** <http://www.census.gov/main/www/cen2000.html>

## **APPENDIX C**

### ***IWMP SPECIFIC REQUIREMENTS***

The Proposition 40 Integrated Watershed Management Program (IWMP) is guided by an interagency memorandum of understanding (MOU). It provides grants to fund projects for the development of local watershed management plans and for the implementation of watershed management projects. Therefore, both planning and implementation projects may be funded through the IWMP. The IWMP includes several specific requirements that do not apply to the other grant programs within the 2005-06 Consolidated Grants Program. The specific requirements include an accelerated selection and contracting procedure (ASCP). Additional information on the IWMP is broken out into following sections below: (1) Local Watershed Management Plans; (2) MOU; and (3) ASCP.

#### **Local Watershed Management Plans**

IWMP grant funds may be used to develop local watershed management plans that meet the requirements of California Water Code, section 79078. These plans must be prepared by a local watershed group and set for a strategy to achieve an ecologically stable watershed. Additionally, the local watershed management plan must do all of the following:

1. Define the geographic boundaries of the watershed;
2. Describe the natural resource conditions within the watershed;
3. Describe measurable characteristics for water quality improvements;
4. Describe the methods for achieving and sustaining water quality improvements;
5. Identify any person, organization, or public agency that is responsible for implementing the methods for achieving and sustaining water quality improvements;
6. Provide milestones for implementation the methods for achieving and sustaining water quality improvements; and
7. Describe a monitoring program designed to measure the effectiveness of the methods for achieving and sustaining water quality improvements.

#### **Memorandum of Understanding**

The California Environmental Protection Agency (Cal/EPA) and Resources Agency entered into a MOU to ensure that the IWMP is coordinated with other programs administered by agencies involved in the development of local watershed management plans and implementation of watershed protection and water management projects. A November 30, 2004 MOU between Cal/EPA and the Resources Agency set the framework to ensure IWMP coordination with other programs and to establish a stakeholder advisory process to assist in setting priorities and allocating funds for watershed projects. The MOU is available on-line (Appendix B).

A work group of Resources Agency and State Water Board staff provided on-going input throughout the development of these Guidelines. The work group also collaborated to develop Partner Agency Priorities for the IWMP. All projects applying for IWMP grants must meet at least one State or Regional Water Board (California Water Boards) priority, one Partner Agency Priority, and one additional priority from the California Water Boards or Partner Agencies. Priorities are presented in Appendix G.

#### **Accelerated Selection and Contracting Procedure**

The State Water Board is required by CWC, section 30948 to establish an ASCP for IWMP projects. No more than fifty percent (50 percent) of the total IWMP funds may be distributed using the ASCP. In order to qualify for the ASCP, IWMP projects must meet all of the following requirements:

1. The project must be part of an approved watershed management plan that is consistent with CWC, section 79078; (See Local Watershed Management Plan section above.)
2. The project must be fully permitted, including compliance with all California Environmental Quality Act (CEQA) requirements, and ready to be implemented; and

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3. The project funding must include matching funds or services donated from non-State sources.

Concept Proposals and Full Proposals requesting IWMP grants will be screened to determine their eligibility for the ASCP. Proposals that are eligible for the ASCP will be scored, evaluated, and awarded prior to other ineligible proposals applying for IWMP or other 2005-06 Consolidated Grants Program funds.

## **APPENDIX D**

### ***REQUESTS FOR WAIVER OR REDUCTION OF FUNDING MATCH FOR DISADVANTAGED COMMUNITIES***

#### **PURPOSE**

The purpose of this appendix is to provide a method for requesting a waiver or reduction of the funding match for the 2005-06 Consolidated Grants Program. The State Water Board will review the information submitted by the applicant and decide, based on the information provided, whether to grant, amend, or deny, the request for the waiver or reduction. Applicants must demonstrate that the required funding match will be provided or request a waiver or reduction of the funding match and submit a signed certificate of understanding (Exhibit A).

At a minimum, the following information must be included in the application:

- ◆ Describe the methodology used in determining the total population of the region and the total population of the disadvantaged community(ies) in the region. The applicant must include what census geographies (i.e., census designated place, census tract, census block) were used, and how they were applied. Also, the applicant must explain how the disadvantaged communities were identified.
- ◆ Provide annual median household income (MHI) data for disadvantaged communities in the region.
- ◆ Provide sample calculations showing how the proposed reduced funding match was derived.
- ◆ Provide information on amount and type of direct benefit(s) each project provides to the disadvantaged community(ies).
- ◆ Include descriptions or information on the disadvantaged community's(ies') involvement, such as past, current, and future efforts to include disadvantaged community representatives in the future planning and implementation process.
- ◆ Letters of support from representatives of disadvantaged communities indicating their support for the project or portion of the proposal designed to provide direct benefits to the disadvantaged communities and acknowledging their inclusion in the planning and future implementation process.

The following data requirements must be met:

- ◆ MHI and population data sets must be from the 2000 Census or more recent; and
- ◆ MHI data used in analysis must be from the same time period and geography as the population data.

#### **ALLOWANCES**

- ◆ Applicants may estimate total and disadvantaged community population numbers by whatever means that are accessible to them as long as the above requirements are met.
- ◆ In determining MHI and population for a disadvantaged community(ies) and the region, applicants may use a single type of census geography or combinations of 2000 Census geographies that best represent the region. However, the census geography used must be consistent for both MHI and population for a particular community. Official census geographies, such as census tract, place and block group, are acceptable. The intent of allowing this flexibility is to allow applicants a choice so that population and income data in the region can be accurately represented.

#### **DEFINITIONS**

**Block Group** – means a census geography used by the United States Census Bureau (USCB) that is a subdivision of a census tract. A block group is the smallest geographic unit for which the USCB tabulates sample data. A block group consists of all the blocks within a census tract with the same beginning (block) number.

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Census Designated Place – means a census geography used by the USCB that is a statistical entity, defined for each decennial census according to USCB guidelines, comprising a densely settled concentration of population that is not within an incorporated place, but is locally identified by a name. Census designated places are delineated cooperatively by state and local officials and the USCB, following USCB guidelines.

Census Tract – means a census geography used by the USCB that is a small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for the purpose of presenting data. Census tract boundaries normally follow visible features, but may follow governmental unit boundaries and other non-visible features in some instances; they always nest within counties. Census tracts are designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions at the time of establishment. Census tracts average about 4,000 inhabitants.

Community – for the purposes of this grant program, a community is a population of persons residing in the same locality under the same local governance.

Disadvantaged Community – a community with an annual MHI that is less than 80% of the statewide MHI (CWC § 79505.5 (a)). For example, using Census 2000 data, 80% of the statewide annual MHI is \$37,994.

Place – A census geography used by the USCB that is a concentration of population either legally bounded as an incorporated place, or identified as a Census Designated Place.

### **STEP A. SCREENING BASED ON MAXIMUM GRANT AMOUNT:**

Grants awarded under the 2005-06 Consolidated Grants Program have program-specific maximum grant amounts (presented in Section III.A) regardless of disadvantaged community status.

### **STEP B. DOCUMENTATION OF THE PRESENCE OF DISADVANTAGED COMMUNITIES:**

Disadvantaged communities must be located in the project area. **If there are no disadvantaged communities in the project area, please do not apply for a reduced funding match.** The disadvantaged community(ies) should be identified in the description of the project area in the Full Proposal. Applicants should ensure the description of the disadvantaged community(ies) is adequate to determine whether the community(ies) meet the definitions of this Appendix. The disadvantaged community(ies) should also be shown on maps of the project area. In describing the disadvantaged community(ies), include the relationship to the project objectives. Include information that supports the determination of disadvantaged community(ies) in the project area.

### **STEP C. DOCUMENTATION OF DISADVANTAGED COMMUNITY REPRESENTATION AND PARTICIPATION:**

The mere presence of a disadvantaged community(ies) in the project area is not sufficient cause to grant a waiver or reduction of the funding match. The disadvantaged community(ies) must be involved in the implementation process. Supporting information that demonstrates how the disadvantaged community(ies) is, or will be, involved in the implementation process of the project must be included. Information must demonstrate how the disadvantaged community(ies) or their representative(s) is participating in the implementation process. As indicated above, include letters of support from the disadvantaged community(ies) representatives that verify support, inclusion, and participation in the process. **If an applicant cannot demonstrate disadvantaged community representation or participation in the implementation process, please do not apply for a reduced funding match.** Applicants applying for Integrated Watershed Management Program (IWMP) planning funds must demonstrate how the disadvantaged community(ies) is involved and participating in the planning process.

### **STEP D. BENEFITS AND IMPACTS TO DISADVANTAGED COMMUNITIES:**

Applicants should explain anticipated benefits and impacts to the disadvantaged community(ies) in their project area for the specific task(s) in their proposal. The explanation should include the nature of the anticipated

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benefit(s), the certainty that benefit(s) will accrue if the project is implemented, and which disadvantaged community(ies) in the project area will benefit.

### **STEP E. CALCULATING A REDUCED FUNDING MATCH:**

The required funding matches for six grant programs are presented in Section III.A. Where the project directly benefits a disadvantaged community, a reduction in the required funding match may be allowed. To reduce the required funding match, the applicant must determine the Disadvantaged Community Ratio (DCR), Benefit Factor (BF), and the Reduced Funding Match Factor (RFMF). The details of determining the DCR, BF, and RFMF, and example calculations are provided below.

#### **DETERMINING THE DCR FOR THE PROJECT AREA**

Applicants can use any method that is reproducible and logical in determining populations in the region as long as the requirements of this Appendix are met and the method is consistently applied. For assistance with accessing census data see the Census website (Appendix B). To calculate the DCR:

- ◆ Determine the total population of the region. The total population in the region =  $P_R$
- ◆ Determine the total population of the disadvantaged communities (e.g. MHI greater than zero but less than \$37,994) in the region. The disadvantaged community population =  $P_D$
- ◆  $DCR = P_D/P_R$

In determining populations and MHI for disadvantaged communities, applicants must ensure that population and MHI values of zero are appropriate for use in data sets. Text, data, and other information that supports selection of areas as a disadvantaged community(ies) must be provided. For assistance with accessing census data, see the 2000 census data web link (Appendix B). Include the method used for population determination, the population of the region, the population of disadvantaged communities in the region, MHI data for disadvantaged communities, and the calculation of the reduced funding match.

#### **DETERMINING THE BF FOR THE PROJECT AREA**

The BF is a function of the percentage of the disadvantaged community(ies) within the project area receiving direct benefit from the proposal. As described above, applicants must discuss and document direct benefits to disadvantaged communities from specific proposal elements. Select the BF that applies to your project area from the following table for use in the RFMF calculation:

<b>Percentage of Disadvantaged Community(ies) in the Project Area Directly Benefited by the Proposal</b>	<b>Benefit Factor</b>
More than 50%	1
25% - 50%	0.5
More than 0% but less than 25%	0.25



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**DETERMINING THE RFMF FOR THE PROJECT AREA**

The RFMF is a function of the DCR and BF and is calculated as follows:

◆  $RFMF = FM - (FM \times DCR \times BF)$

◆ Where:

***FM = THE MINIMUM FUNDING MATCH FOR SPECIFIC GRANT PROGRAM;***

***DCR =  $P_D/P_R$ ; AND***

***BF = 1, 0.5, OR 0.25 AS PRESENTED IN THE TABLE ABOVE.***

◆ Round the RFMF to the nearest 0.01

The RFMF is then multiplied by the total proposal cost to determine the reduced funding match. The reduced funding match should be used in the budgets presented for the Full Proposal. Example calculations are shown below.

**Example:** Agency A is requesting a reduced funding match for a grant proposal from the Nonpoint Source Pollution Control Program that has a total cost of \$5,000,000.

$$P_R = 1,000,000$$

$$P_D = 750,000$$

$$DCR = 750,000/1,000,000 = 0.75$$

$$BF = 0.5^1$$

$$FM = 0.25$$

$$RFMF = 0.25 - (0.25 \times 0.75 \times 0.5)$$

$$= 0.25 - (0.09375)$$

$$= 0.15625 \text{ rounded to } 0.16 \text{ (or } 16\%)$$

Total Project Cost	Grant and Fund Match Using the Minimum Funding Match Requirement (25% of total)		Grant and Funding Match Using a Reduced Funding Match (16% of total)	
	Funding Match	Grant Funds	Funding Match	Grant Funds
\$5 Million	$0.25 \times \$5 \text{ M} = \$1.25 \text{ M}$	$\$5 \text{ M} - \$1.25 \text{ M} = \$3.75 \text{ M}$	$0.16 \times \$5 \text{ M} = \$0.8 \text{ M}$	$\$5 \text{ M} - \$0.8 \text{ M} = \$4.2 \text{ M}$

<sup>1</sup> Assuming 25-50% of the disadvantaged community(ies) in the project area directly benefit from the proposal.



**EXHIBIT A**  
*Certification of Understanding*

**The undersigned certifies that:**

The application submitted by <Insert Name of Applicant> for <Insert Proposal Title> for a <Insert Funding Source> grant contains a request for waiver or reduction of funding match based on disadvantaged communities.

**The above named applicant understands:**

- The waiver or reduction of the funding match presented in the application is a request that will not be automatically granted.
- The State Water Resources Control Board will review the disadvantaged community information submitted in the application prior to making a decision of accept, modify, or deny such a waiver of reduction.
- Should the proposal be chosen for funding, but the requested waiver or reduction in funding match be rejected or modified, the grantee is responsible for costs exceeding the grant funding amount to complete the project.
- The granting agency will rescind the grant award if the grantee cannot cover increased costs due to rejection or modification of the request for a waiver of or reduction in the funding match or adequately restructure the grant proposal so that it can meet the intent of the original proposal.

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Agency: \_\_\_\_\_  
Date: \_\_\_\_\_

## **APPENDIX E**

### **DEFINITIONS**

**Applicant** – means an entity that files an application for funding under the provisions of Propositions 40 or 50, or Clean Water Act, Section 319 with the State Water Resources Control Board.

**Application** – refers to the electronic submission to State Water Resources Control Board that requests grant funding for the project that the applicant intends to implement. It includes the responses to the questions included in the on-line application system as well as the proposal.

**Areas of Special Biological Significance** – means areas designated by the State Water Resources Control Board as requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All areas of special biological significance are State Water Quality Protection Areas as defined in Public Resources Code § 36700(f). There are 34 designated areas of special biological significance, which are listed in the California Ocean Plan.

**Bay-Delta** – means the San Francisco Bay/Sacramento-San Joaquin Delta Estuary as defined in section 79006 of the California Water Code.

**Critical Coastal Areas Program** – means an innovative program, required by California's Nonpoint Source Pollution Plan to foster collaboration among local stakeholders and government agencies, to better coordinate resources and focus efforts on coastal-zone watershed areas in critical need of protection from polluted runoff.

**Disadvantaged Community** – means a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Clean Water Code § 79505.5 (a)).

**Educational Institution** – means a public educational institution, including the University of California, state universities, community colleges, and local public school systems.

**Eligible Grant Recipient** – refers to public agencies, government agencies, municipalities, educational institutions, tribes, or non-profit organizations as defined in this appendix.

**Evaluation Criteria** – means the set of requirements used to choose a project for a given program or for funding; the specifications or criteria used for selecting or choosing a project based on available funding.

**Funding Cycle** – is used to denote the entire grant selection and approval process from initial proposal solicitation to grant award.

**Granting Agency** – means the agency that is funding a proposal, with which a grant recipient has a grant agreement, and will be either the State Water Resources Control Board or the Regional Water Quality Control Board.

**Impaired Water Body** – means surface waters identified by the Regional Water Quality Control Boards as impaired because water quality objectives are not being achieved or where the designated beneficial uses are not fully protected after application of technology-based controls. A list of impaired water bodies is compiled by the State Water Resources Control Board pursuant to section 303(d) of the Clean Water Act.

**Indian Tribes** – refers to federally recognized tribes.

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**Local Public Agency** – is any city, county, city and county, or district.

**Management Measures** – means economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degrees of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or alternatives.

**Municipality** – means a city, town, borough, parish, district, association or other public body created by or pursuant to state law or a designated and approved management agency under section 208 of the Clean Water Act.

**Nonpoint Source Pollution** – means a diffuse discharge of pollutants throughout the natural environment.

**Nonpoint Source Pollution Plan (NPS Plan)** – means a State Water Resources Control Board.-adopted plan developed in collaboration with the Regional Water Quality Control Boards and the California Coastal Commission to meet the requirements of section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 and section 319 of the Clean Water Act. The Plan addresses California’s nonpoint source pollution by assessing the State’s nonpoint source pollution problems/causes and implementing management programs.

**Nonprofit Organization** – means any California corporation organized under section 501(c)(3) of the Federal Internal Revenue Code. Section 501(c)(3) states:

“Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.”

**Northern California** – means those counties not listed below as “Southern California.”

**Ocean Protection Council (OPC) Priorities** – means priorities identified by the Ocean Protection Council, as presented in the Guidelines.

**Partner Agency Priorities** – means priorities identified by Partner Agencies, as presented in the Guidelines.

**Pollutant Load Reduction** – means the decrease of a particular contaminant in the impaired waterbody resulting from the implementation of the project.

**Project** – refers to the entire set of actions, including planning, permitting, constructing, monitoring, and reporting on all of the proposed activities, including structural and non-structural implementation of management measures and practices.

**Proposal** – refers to all of the supporting documentation submitted that details the project and actions that are proposed for funding pursuant to an application for a grant.

**Proposition 40** – is the “California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002,” as set forth in Division 5 of the Public Resources Code (commencing at § 5096.600).

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**Proposition 50** – is the “Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002”, as set forth in Division 26.5 of the California Water Code (commencing at § 79500).

**Public Agency** – is any city, county, city and county, district, the state, or any agency or department thereof.

**Regional Agency** – means public agencies with statutory authority over land-use or water management whose jurisdiction encompasses an area greater than the jurisdictional boundaries of any one local public agency.

**Regional Water Board Priorities** – means priorities identified by the Regional Water Boards, as presented in the Guidelines.

**Reimbursable Costs** – means costs that may be funded under Propositions 40 and 50. Reimbursable costs include the reasonable costs of engineering, design, land and easement, legal fees, preparation of environmental documentation, environmental mitigation, and project implementation. Costs that are not reimbursable with grant funding include, but are not limited to:

- a. Costs, other than those noted above, incurred prior to effective date of a grant agreement with the State;
- b. Operation and maintenance costs, including post construction project performance and monitoring costs;
- c. Purchase of equipment not an integral part of the project;
- d. Establishing a reserve fund;
- e. Purchase of water supplies;
- f. Replacement of existing funding sources for ongoing programs;
- g. Support of existing agency requirements and mandates;
- h. Purchase of land in excess of the minimum required acreage necessary to operate as an integral part of the project, as set forth and detailed by engineering and feasibility studies, or land purchased prior to effective date of a grant agreement with the State; and
- i. Payment of principal or interest of existing indebtedness or any interest payments unless the debt is incurred after effective date of a grant agreement with the State, the granting agency agrees in writing to the eligibility of the costs for reimbursement before the debt is incurred, and the purposes for which the debt is incurred are otherwise reimbursable project costs.

**Selection Panel** – means a group of technical reviewers assembled to review and consider proposal evaluations and scores and to make initial funding recommendations.

**Southern California** – means the Counties of San Diego, Imperial, Riverside, Orange, Los Angeles, San Bernardino, Santa Barbara, and Ventura.

**Stakeholder** – is an individual, group, coalition, agency, or others who are involved in, affected by, or have an interest in the implementation of a specific program or project.

**Statewide Priorities** – means priorities identified by the State Water Board, as presented in the Guidelines.

**Technical Reviewers** – means a group of agency representatives assembled to evaluate the technical competence of a proposed project and the feasibility of the project being successful if implemented.

**303(d) List** – refers to section 303(d) of the Clean Water Act that requires each state to periodically submit to the United States Environmental Protection Agency a list of impaired waters. Impaired waters are those that are not meeting the state's water quality standards. Once the impaired waters are identified and placed

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on the list, section 303(d) requires that the State establish total maximum daily loads that will meet water quality standards for each listed water body.

**Total Maximum Daily Load (TMDL)** – identifies the maximum quantity of a particular pollutant that can be discharged into a water body without violating a water quality standard, and allocates allowable loading amounts among the identified pollutant sources.

**Urban Water Supplier** – means a supplier, either publicly or privately owned, that provides water for municipal purposes either directly or indirectly to more than 3,000 customers or supplies more than 3,000 acre-feet of water annually. (California Water Code § 10617)

**Watershed Management Area (WMA)** – is a basic planning unit and may contain one or more drainage "basin" or "watersheds." For more detailed information on WMAs refer to the Watershed Management Initiative Chapter(s) for the region(s) the project is located in.

## **APPENDIX F**

### ***REQUIRED ELEMENTS FOR WATERSHED-BASED PLANS PER CWA***

#### ***SECTION 319***

All projects supported with Clean Water Act (CWA) Section 319 funds must implement activities based on watershed-based plans (as per the United State Environmental Protection Agency [USEPA] nine key elements) and total maximum daily loads (TMDLs) (existing or under development). This appendix describes the requirements for watershed-based plans. The nine key elements of watershed-based plans, which are explained in more detail below, are:

1. Causes and Sources;
2. Expected Load Reductions;
3. Management Measures;
4. Technical and Financial Assistance;
5. Information/Education;
6. Schedule;
7. Measurable Milestones;
8. Evaluation of Progress; and
9. Monitoring.

Watershed-based plans are holistic documents that are designed to protect and restore a watershed. These plans provide a careful analysis of the sources of water quality problems, their relative contributions to the problems, and alternatives to solve those problems. Watershed-based plans should also deliver proactive measures to protect waterbodies. In watersheds where a TMDL has been developed and approved or is in process of being developed, watershed-based plans must be designed to achieve the load reductions called for in the TMDL.

The USEPA recommends in federal guidance that watershed-based plans incorporate nine key elements for solving water quality problems and developing a more comprehensive management strategy. "Solving water resource problems at a watershed level will provide the best basis for sound decision-making and implementation." (Nonpoint Source Program and Grants Guidelines for States and Territories - Federal Register: October 23, 2003, Volume 68, Number 205.)

You may refer to the full text of the Section 319 guidelines that is available on USEPA's nonpoint source website (Appendix B).

#### **WATERSHED-BASED PLANS IN CALIFORNIA**

In California, wide ranges of plans are being used to comply with the nine key elements, often in combination with each other. Examples of plans that are being used to comply with the key elements include local watershed plans, coordinated resource management plans, TMDL implementation plans, comprehensive conservation and management plans, Regional Water Quality Control Plans (Basin Plans), and the Regional Water Quality Control Boards (Regional Water Boards) Watershed Management Initiative (WMI) Chapters under the WMI Integrated Plan, and combinations thereof. Applicants should work with the Regional Water Boards to verify that the combination of plans has the nine elements. Those elements that are not included in existing plans will need to be incorporated into the plans, as appropriate, to be eligible for Section 319 funds. During the Full Proposal stage of the grant selection process, applicants for Section 319 funds will complete a table to indicate where each key element is addressed.

#### **NINE KEY ELEMENTS**

##### **Element 1: Causes and Sources**

Clearly define the causes and sources of impairment (physical, chemical, and biological).

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### **Element 2: Expected Load Reductions**

An estimate of the load reductions expected for each of the management measures or best management practices (BMPs) to be implemented (recognizing the natural variability and the difficulty in precisely predicting the performance of management measures over time).

### **Element 3: Management Measures**

A description of the management measures or management practices and associated costs that will need to be implemented to achieve the load reductions estimated in this plan and an identification (using a map or a description) of the critical areas where those measures are needed.

### **Element 4: Technical and Financial Assistance**

An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan.

### **Element 5: Information/Education**

An information/education component that will be used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing management measures.

### **Element 6: Schedule**

A schedule for implementing management measures identified in this plan that is reasonably expeditious.

### **Element 7: Measurable Milestones**

A schedule of interim, measurable milestones for determining whether the management measures, BMPs, or other control actions are being implemented.

### **Element 8: Evaluation of Progress**

A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made towards attaining water quality standards and, if not, the criteria for determining whether the plan needs to be revised or, if a TMDL has been established, whether the TMDL needs to be revised.

### **Element 9: Monitoring**

A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established in the Evaluation of Progress element.

**APPENDIX G**  
***STATEWIDE, REGIONAL, AND PARTNER AGENCY PRIORITIES***

Appendix G, the Statewide, Regional, and Partner Agency Priorities, is available as a separate file.



***APPENDIX H***  
***CONCEPT PROPOSAL APPLICATION AND EVALUATION CRITERIA***

Appendix H, Concept Proposal Application and Evaluation Criteria, is available as a separate file.

**APPENDIX I**  
***FULL PROPOSAL SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA***

Appendix I, Full Proposal Submittal Requirements and Evaluation Criteria, is available as a separate file.

## **APPENDIX J**

### ***ENVIRONMENTAL REVIEW PROCESS***

#### ***PART I. PURPOSE***

This document details steps the applicants must take to comply with environmental review requirements for the 2005-06 Consolidated Grants Program administered by the State Water Resources Control Board (State Water Board), Division of Financial Assistance (Division).

Generally, the process is accomplished through compliance with the California Environmental Quality Act (CEQA). Detailed requirements are given in the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). For information on how to obtain a copy of CEQA and the CEQA Guidelines contact the State Clearinghouse at (916) 445-0613.

This document is intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the State Water Board when reviewing applications for funding; they are not intended to supersede or replace the CEQA Guidelines. The program also includes funds from 319 federal sources administered by the United States Environmental Protection Agency (USEPA) and is therefore subject to some federal environmental regulations. The federal requirements are clearly emphasized in this appendix.

Questions regarding environmental procedures and practices should be directed to the Division's Regional Programs Unit (RPU), at (916) 341-5686 or (916) 341-5667. Questions regarding cultural resources should be directed to the Division's Cultural Resources Officer (CRO) at (916) 341-5690.

Additional information is available at the web links listed under "CEQA Information" in Appendix B.

#### **CEQA Requirements**

As defined under CEQA, the applicant may be the *Lead Agency* and will be responsible for the preparation, circulation, and consideration of the environmental document prior to approving the project. The State Water Board and other agencies having jurisdiction over the proposed project are *Responsible Agencies* and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The applicant may use a Negative Declaration (ND), a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR) to comply with CEQA requirements. The applicant may use a previously prepared document accompanied by a checklist to determine if the project is adequately covered. If the project is not adequately covered by an existing document, an updated or subsequent document should be prepared. Applicants should contact the Division before they decide to use an existing final document.

**Public participation:** For all projects, public participation and review are essential to the CEQA process (CEQA Guidelines, section 15087). An earnest public participation program can improve the planning process and reduce the chance of delays due to public controversy. Each public agency, consistent with its existing activities and procedures, should include formal and informal public involvement and receive and evaluate public reactions to environmental issues related to its project. Public comments or controversies not addressed during the planning of a proposed project could result in the need for a subsequent environmental document at a later stage or lead to legal challenges, delaying the project and raising the cost significantly. For assistance in this area, the applicant should call the RPU.

### **Exemptions from CEQA**

In many circumstances, the applicant's project may be approved under a statutory or categorical exemption from CEQA. Applicants should submit the exemption findings to the Division for these projects. After the Lead Agency approves the statutory or categorical exemption for the project, the Lead Agency should file a Notice of Exemption with the County Clerk and provide a copy of the Notice to the Division.

*A Notice of Exemption* should include:

- ❖ A brief description of the project;
- ❖ A finding that the project is exempt;
- ❖ References stating the applicable statutory or categorical exemption in the law or State guidelines; and
- ❖ A brief statement supporting the finding of exemption.

Categorical Exemptions cannot be used if the project is in an environmentally sensitive area. Compliance with applicable federal environmental regulations including consultation with federal authorities is required for some exempt projects.

## ***PART II. DETAILED PROCEDURES***

### **Preparation of an Initial Study (CEQA Guidelines, Section 15063)**

An *Initial Study* is a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a ND should be prepared. The Initial Study uses the fair argument standard to determine if a project may have a significant environmental effect that cannot be mitigated before public release of the environmental document. The criteria for "significance" of impacts (CEQA Guidelines, sections 15064 et seq.) must be based on substantial evidence in the record and includes:

- ❖ Direct effects;
- ❖ Reasonably foreseeable indirect effects;
- ❖ Expert disagreement;
- ❖ Considerable contribution to cumulative effects; and
- ❖ Special thresholds for historical and archaeological resources.

If an applicant can determine that an EIR will clearly be required for the project, an Initial Study is not required but may still be desirable to focus the analysis of impacts.

The Initial Study must include:

- ❖ A project description;
- ❖ An environmental setting;
- ❖ Potential environmental impacts;
- ❖ Mitigation measures for any significant effects;
- ❖ Consistency with plans and policies; and
- ❖ The names of preparers.

If a checklist is used, it must be supplemented with explanations for all applicable items, including the items that are checked "no impact." Checklists should follow the format used in Appendix G of the most recent revision (1999 or later) of the CEQA Guidelines.

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If the project has no significant effect on the environment, the applicant should prepare a ND (or MND) and Initial Study (CEQA Guidelines, section 15371).

### **Negative Declaration**

A *Negative Declaration* is a written statement, briefly explaining why a proposed project will not have a significant environmental effect. It must include:

- ❖ A project description;
- ❖ The project location;
- ❖ The identification of the project proponent;
- ❖ A proposed finding of no significant effect; and
- ❖ A copy of the Initial Study.

For MNDs, mitigation measures included in the project to avoid significant effects must be described.

The applicant must provide a notice of intent to adopt a ND (CEQA Guidelines, Section 15072) specifying:

- ❖ The review period;
- ❖ The time and location of any public meetings or hearings on the proposed project;
- ❖ A brief project description; and
- ❖ The location that copies of the proposed ND or MND is available for review.

A copy of the notice of intent and the proposed ND must be mailed to responsible and trustee agencies, agencies with jurisdiction, and all parties previously requesting notice. Since the State Water Board will be a Responsible Agency, the ND/Initial Study also needs to be circulated through the State Clearinghouse (CEQA Guidelines, sections 15072 and 15073). The notice of intent must be posted in the county clerk's office and sent to the State Clearinghouse with fifteen (15) copies of the ND.

After the review period ends, the applicant should review and address comments received. The applicants decision-making body should make a finding that the project will have no significant effect on the environment based on the commitment to adequately mitigate significant effects disclosed in the Initial Study or the lack of significant effects, and the absence of significant comments received, and adopt the ND.

### **Notice of Completion**

Draft environmental documents must be submitted to the State Clearinghouse for review by state agencies (CEQA Guidelines, section 15205). The applicant needs to send fifteen (15) copies of the ND to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance (Section 15205(e)).

The applicant may use the standard *Notice of Completion and Environmental Document Transmittal Form* included in the CEQA Guidelines (Appendix C), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

- ❖ A brief project description;
- ❖ The project location;
- ❖ The address where the draft environmental document is available; and
- ❖ The public review period.

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On the backside of the form, applicants should put a check on any of the "REVIEWING AGENCIES" that they would like draft documents to be sent to including "State Water Board – Financial Assistance," otherwise the State Clearinghouse will select the appropriate review agencies.

The applicant must also send a formal transmittal letter to the State Clearinghouse giving them the authority to distribute the copies of the document. If a consultant is preparing the draft environmental document, the consultant must obtain a formal transmittal letter from the applicant stating that they give permission to the consultant to send the copies of the document to the State Clearinghouse. The letter should include the State Clearinghouse number (SCH#).

If the applicant needs a shorter review period than the 30 or 45-day period required by the CEQA Guidelines, the applicant, not the consultant, must submit a written request. This formal request can be included in the transmittal letter stating the reasons for a shorter review period. Use the following address to send documents to the State Clearinghouse:

STATE CLEARINGHOUSE  
OFFICE OF PERMIT ASSISTANCE  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
P.O. Box 3044  
SACRAMENTO, CA 95812-3044

The focal point of the CEQA review is the State Clearinghouse. The review starts when the State Clearinghouse receives your ND/Initial Study or MND at which time it will assign a SCH# to the project. If a Notice of Preparation (NOP) was previously filed, the State Clearinghouse will use the SCH# assigned to the NOP. This ten-digit number (e.g. SCH# 2002061506) is very important and should be used on all documents, such as inquiry letters, supplemental drafts, final environmental documents, etc. The State Clearinghouse will send the applicant an *Acknowledgment of Receipt* card when the document is received. If applicants have questions about the State Clearinghouse procedures, they should call (916) 445-0613.

To ensure that responsible agencies, including the Division, will receive copies of the environmental document for review, the applicant should send them directly to the agencies. This submittal does not replace the requirement to submit environmental documents to the State Clearinghouse for distribution (CEQA Guidelines, section 15205(f)). The applicant is also responsible for sending copies of the environmental documents to any local or federal responsible agency with jurisdiction over any part of the proposed project.

After the review period ends, the State Clearinghouse should send the applicant a letter stating that the review process is closed and that they have complied with the review requirements. Any comments from state agencies will be forwarded with the letter. Lack of response from a state or federal agency does not necessarily imply concurrence.

When the comment period closes, the applicant should review all comments received during the review process, including any oral comments received at formal or informal public meetings. The applicant should then consider whether comments are significant enough to require a complete revision of the environmental document or the proposed project, or whether minor changes in the document or addition of mitigation measures could adequately address the issues raised.

Within five days after the applicant's decision making body has made a decision to proceed with the project, the applicant should prepare and file a *Notice of Determination* (NOD) with the Governor's Office of Planning and Research and the local County Clerk (see Appendix D of the CEQA Guidelines).

### **319 Funding Requirements**

If the project proponent applies for 319 funding, the Division must ensure that federal agencies are afforded adequate review of environmental documents for projects that will be federally funded. We will send copies of the CEQA/National Environmental Policy Act (NEPA) document (draft or final) directly to federally designated agencies as part of the review process. To do this, the applicant will need to submit eight (8) copies of their draft or final environmental document, including any NEPA related documents discussed below, to the State Water Board.

All correspondence with the RPU regarding environmental documents should be addressed to:

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF FINANCIAL ASSISTANCE  
REGIONAL PROGRAMS UNIT  
1001 I STREET, 16TH FLOOR  
SACRAMENTO, CA 95814

Normally, one (1) copy will be used for the RPU's review, one (1) copy will be submitted to the CRO, and the other six (6) copies will be distributed to federally designated agencies.

The federally designated agencies must have at least thirty (30) calendar days to review a ND/Initial Study. Six (6) days mailing time is also added to the review period, which would then be thirty-six (36) calendar days from the date the environmental document was mailed to the reviewing agency.

If any of these agencies identify an issue of concern, the RPU will consult with the agency to determine the necessary and appropriate actions to resolve the issue. Ideally, the federal consultation review should be done concurrently with the CEQA review to allow all comments to be addressed at one time and prevent the need for supplemental documentation. However, federal consultation may also be initiated before or after CEQA review, but must be completed before a funding commitment can be approved by the State Water Board.

### **Mitigation Monitoring and Reporting Program**

In a MND, when a potentially significant impact can be mitigated to avoid or substantially reduce the project's significant environmental effect, a Mitigation Monitoring Plan (MMP) should be adopted (CEQA Guidelines, section 15097). The MMP is implemented to ensure that mitigation measures and project revisions identified in the Final MND are implemented; in some cases, they are made a condition of project approval by a Responsible Agency. The MMP must include all changes in the proposed project that mitigate each significant environmental impact and ensure implementation of each mitigation measure. The MMP should also identify how the mitigation measure is to be monitored to determine if it is meeting the specified performance standard or measure of success. The MMP is often made part of the draft MND so that the Lead Agency can make revisions based on public comment.

Effective MMPs:

1. State the objective of the mitigation measure and why it is recommended;
2. Explain the specifics of the mitigation measure and how it will be implemented;
3. Identify measurable performance standards by which the success of the mitigation can be determined;

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4. Provide for contingent mitigation if monitoring reveals that the success standards are not satisfied;
5. Identify who is responsible for implementing the mitigation measure;
6. Identify the specific location of the mitigation measure; and
7. Develop a schedule for implementation.



## **APPENDIX K**

### ***PREPARING PROJECT ASSESSMENT AND EVALUATION PLANS***

#### **PURPOSE**

The purpose of this appendix is to provide background information on Project Assessment and Evaluation Plans (PAEPs) and the Project Performance Measures Tables.

#### **BACKGROUND**

Monitoring, assessment, and performance measures must be designed so that the State Water Resources Control Board (State Water Board) can ensure that the projects meet their intended goals, achieve measurable outcomes, and provide value to the State of California. The State Water Board requires that all grant funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the Proposal. **Applicants are required to prepare and submit Project Performance Measures Tables, specific to their proposed project, as part of the Full Proposal submittal.** As part of the grant agreement, all grant recipients must prepare a PAEP, which will include the performance measures tables. Guidance and tools for preparing a PAEP and the accompanying Project Performance Measures Tables can be found on our website (Appendix B).

The goals of a PAEP are to:

- ❖ Provide a framework for assessment and evaluation of project performance;
- ❖ Identify measures that can be used to monitor progress towards achieving project goals and desired outcomes;
- ❖ Provide a tool for grant recipients and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill the grant agreement requirements;
- ❖ Provide information to help improve current and future projects; and
- ❖ Quantify the value of public expenditures to achieve environmental results.

Many projects include multiple activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include water quality measurements; measurement-based estimates of pollution load reductions; acres of habitat restored; feet of stream channel stabilized; additional water supply; improved water supply reliability and flexibility; groundwater level measurements; stream flow measurements; or other quantitative measures or indicators. These and other measures and/or indicators should be selected to fit the performance evaluation needs of the Project.

#### **PROJECT PERFORMANCE MEASURES TABLES**

Project Performance Measures Tables must be submitted as part of the Full Proposal. Applicants may be required to complete up to four Performance Measures Tables depending on what types of activities are proposed. The applicant must first determine which of the following four major categories each of their activities fall under: 1) Planning, Research, Monitoring, and Assessment; 2) Education, Outreach, and Capacity-building; 3) Habitat Restoration; and 4) Load Reduction. A table must then be completed for each category of activity identified. The tables should be organized to provide for a simple and concise description of:

- Project goals;
- Desired project outcomes;

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- Appropriate project performance measures that include: (1) Output Indicators representing measures to efficiently track outputs (activities, products or deliverables); and (2) Outcome Indicators, measures to evaluate change that is a direct result of the work and can be linked through a weight-of-evidence approach to project activities or outputs (e.g. improvements in environmental conditions, awareness, participation, or community, landowner, or local government capacity);
- Methods of measurement or tools that will be used to document project performance (e.g. California Rapid Assessment Method, California Department of Fish and Game Monitoring Protocols for fisheries restoration projects); and
- Measurable targets that are feasible to meet during the Project period, such as a 10 percent (10%) increase in community awareness, ninety percent (90%) reduction in invasive species acreage, or fifty percent (50%) reduction in pesticide use within the watershed.

Examples of tables for each of these categories and different types of activities can be found on our website (Appendix B). The format of these tables may be used as a template for completing this part of the proposal. The example activities are provided for illustrative purposes only, however, and should be used to guide the identification of appropriate categories and performance measures for the project described in the Full Proposal.

These tables allow applicants to assemble and organize activities with similar attributes, and evaluate them using a set of performance measures or indicators common to each category.